

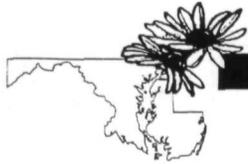


Report and  
Recommendations  
of the

# **TASK FORCE ON MULTIRACIAL DESIGNATIONS**

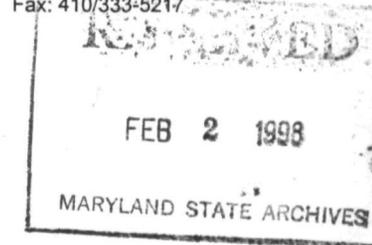
Presented to the Governor and the General  
Assembly of the State of Maryland

December 1, 1997



# Task Force on Multiracial Designations

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December 1, 1997

Parris N. Glendening  
Governor

Thomas V. Miller, Jr.  
President of the Senate

Casper R. Taylor, Jr.  
Speaker of the House

Gentlemen:

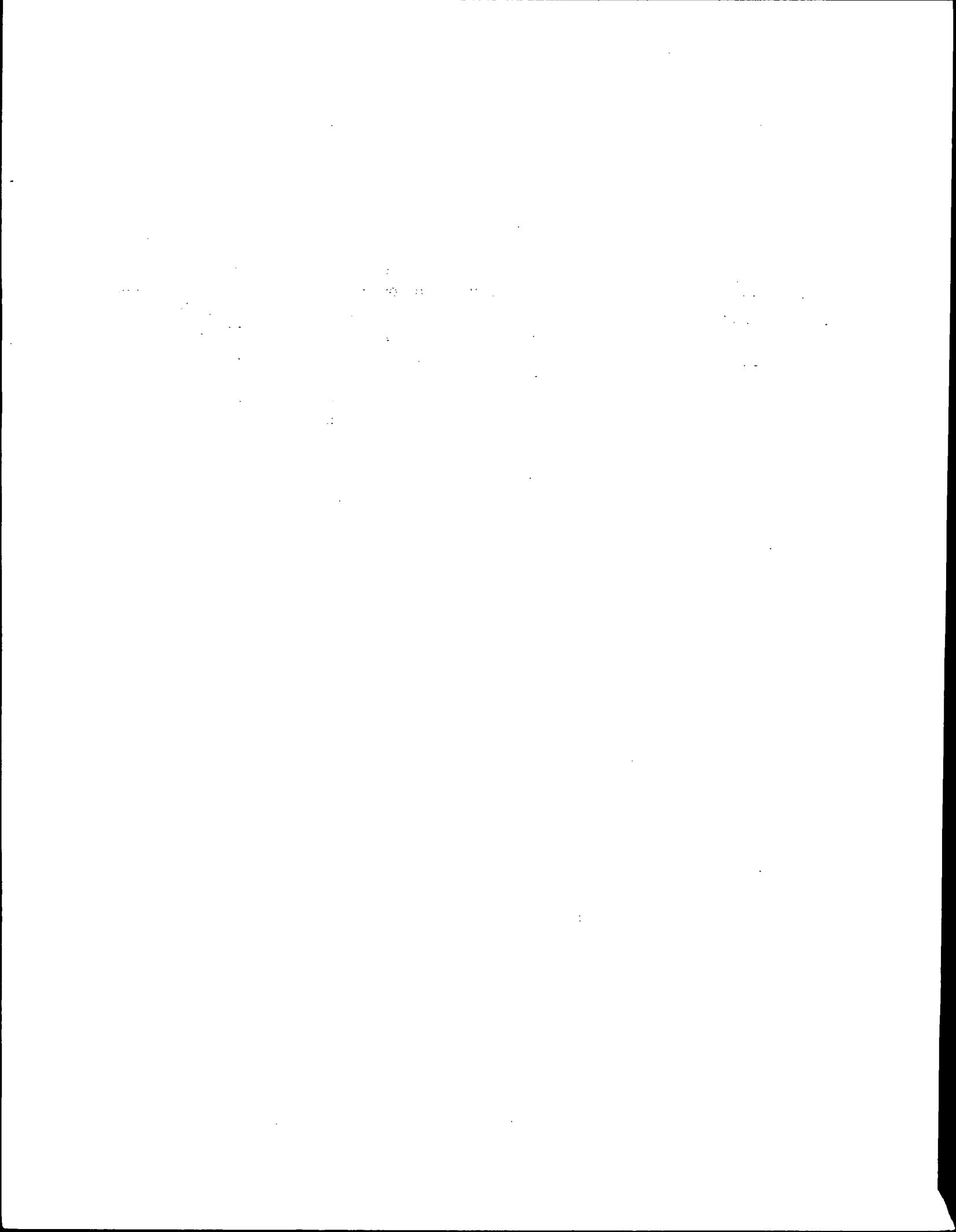
I am pleased to present to you the report of the Task Force on Multiracial Designations. As requested in House Bill 1080, this report contains the recommendations of the Task Force regarding the modification of the racial and ethnic categories used on State forms that seek racial identification information. These recommendations are the result of a ten-month review process in which the Task Force analyzed information from federal documents, including Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity by the Office of Management and Budget, studied the fiscal impact of making changes to State forms, and held public hearings to collect input from Maryland residents.

In addition to the recommendations themselves, the report includes background information on the need for modification of racial and ethnic categories, a history of collection methods used in the past, a description of the Task Force itself, a review of Maryland population data, information on relevant federal standards, and a summary of public comments obtained by the Task Force at its five public hearings.

We believe that we have generated specific recommendations that effectively address the legal requirements of racial and ethnic classification, while at the same time satisfying the needs of multiracial individuals. The Task Force thanks you for the opportunity to address this important problem, and trusts that its recommendations will be of value to you and the citizens of Maryland.

Respectfully submitted,

Isabelle L. Horon, Dr.P.H  
Chairperson

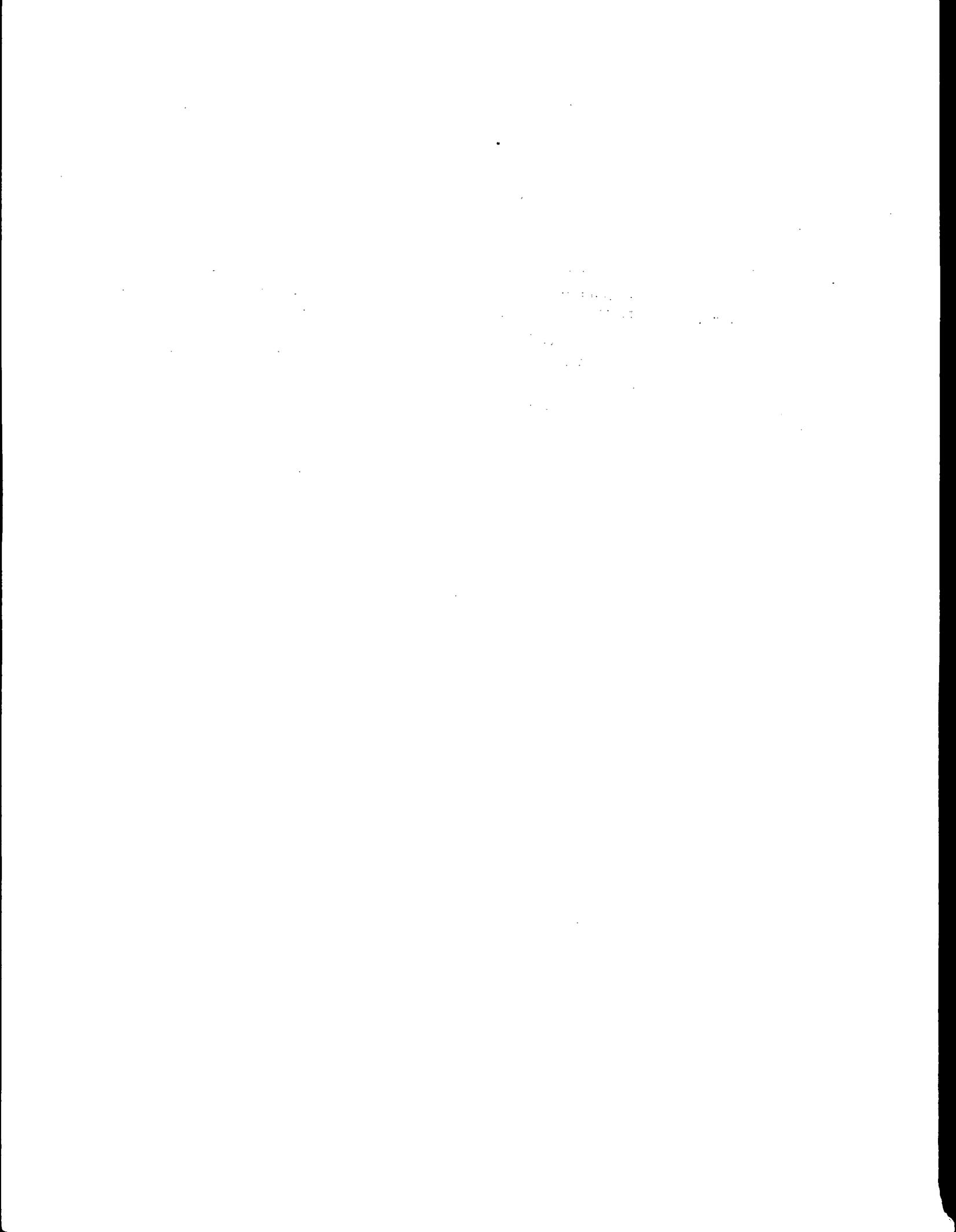


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## EXECUTIVE SUMMARY

The increasing racial and ethnic diversity of the Maryland population has resulted in growing criticism of the categories currently used to collect race and ethnicity information. The Task Force on Multiracial Designations, created in 1996 by House Bill 1080, was charged with studying issues concerning the possible addition of a multiracial category on State forms that request racial identification information, and developing recommendations for changes in statutes, regulations, or procedures.

The Task Force reviewed information from: (1) Federal documents, including Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity by the Office of Management and Budget; (2) Public hearings; and (3) An assessment of costs involved in making changes to State forms. Based on a review of this information, the following recommendations for revising categories for race and ethnicity are made to the Governor and the General Assembly:

**Recommendation 1. *A method for reporting more than one race should be adopted.***

- 1.a. This method of reporting should take the form of a 'check list', whereby an individual may select all race categories that apply.
- 1.b. The following check list of races should be provided to respondents:
  - American Indian or Alaska Native
  - Asian
  - Black or African American
  - Native Hawaiian or Other Pacific Islander
  - White
- 1.c. Instructions for completing the race question should be worded as follows:  
"Select one or more. If multiracial, check all that apply."

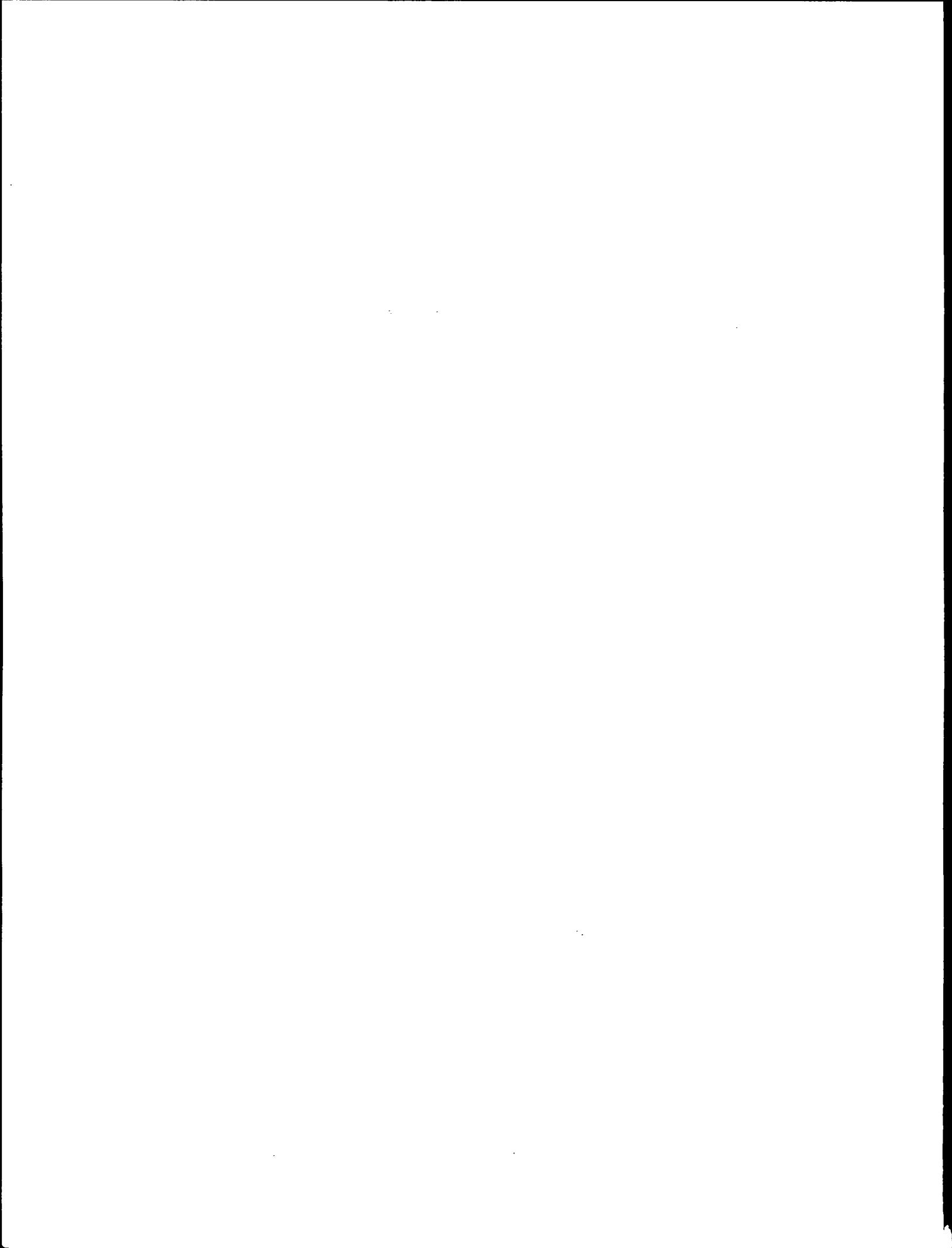
**Recommendation 2. *A two-question format should be used to collect Hispanic/Latino origin and race information.***

- 2.a. The term 'Hispanic or Latino' should be used rather than the term 'Hispanic'.
- 2.b. Information on Hispanic/Latino origin should be collected as a separate question and should not be included as a category on the race question.
- 2.c. The Hispanic/Latino origin question should precede the race question.

**Recommendation 3. *Observer identification of Hispanic/Latino origin and race should occur only when self-identification is not possible.***

**Recommendation 4. *These standards should be effective immediately for all new and revised data collection instruments. Existing forms should conform as soon as possible, but not later than January 1, 2002. On an interim basis, and to the extent practical, agencies should be encouraged to permit more than one race to be collected on current forms.***

**Recommendation 5. *The effective date of any legislation resulting from these recommendations should be no later than July 1, 1998.***



## **BACKGROUND**

### **What is race?**

Webster's Dictionary defines race as "a local geographic or global human population distinguished as a more or less distinct group by genetically transmitted physical characteristics," and as "a group of people united or classified together on the basis of common history, nationality or geographic distribution<sup>1</sup>." A system of racial classifications (Asian, American Indian, European and African) was first delineated by Carolus Linnaeus in 1758. Today, many anthropologists believe that there is no basis for the concept of race, and that even if we could classify humans into races, we should not<sup>2</sup>. James Shreeve states that "race is the part of one person's variation on the theme of humanity created by the interplay of geography and inheritance" and is "mired in a biological, cultural, and semantical swamp." He goes on to say that "the vast majority of human genetic variation occurs *within* populations, not *between* them, with only some 6 percent accounted for by race."<sup>3</sup> Immigration and a sharp increase in the number of interracial marriages have caused the population to become increasingly diverse, further blurring the validity of existing racial categories.

### **History of the collection of race and ethnic data**

Despite these issues, governments have historically collected data on race. Although the labels have changed, race information has been collected since the first decennial census in 1790. In this census, the population was categorized as 'free white', 'other free persons' (except Indians), 'bond servants', and 'slaves'. By the 1880 census, one could choose to be 'White', 'Black', 'Mulatto', 'Chinese' or 'Indian'. 'Japanese' was added as a race in 1890, and 'Filipino', 'Hindu' and 'Korean' were added in 1920. The first 'Hispanic' residents of the United States were residents of New Mexico and California who lived in the areas annexed by the United States during the Mexican War in 1846-47. This group, combined with immigrants from Mexico, Puerto Rico, Cuba and other Latin American countries led to a growing population group classified as 'of Spanish culture and origin'. The resistance of Hispanics to being categorized as a racial group led to Public Law 94-311 of 1976, which called for the collection, analysis and publication of economic and social statistics on persons of Spanish origin and descent<sup>4,5</sup>.

In addition to their use in the enumeration of the population, data on race and ethnicity have been used to monitor changes in the social, demographic, health and economic characteristics of various population groups. In recent years, these data have also been used for civil rights monitoring and enforcement in areas such as employment, voting rights, housing and education. In response in large part to the need to enforce the civil rights laws, the Office of Management and Budget in 1977 issued Statistical Policy Directive No. 15, which set guidelines for racial and ethnic categories on all federal forms. The following racial groups were established under the Directive: (1) American Indian or Alaskan Native; (2) Asian or Pacific Islander, (3) Black; and (4) White. The Directive also established the following ethnic groups: (1) Hispanic origin; or (2) Not of Hispanic origin. An individual was permitted to choose only one racial group and one ethnic group when completing federal forms.

The racial and ethnic categories established by Directive 15 have been used in both the United States and Maryland since 1977. In recent years these categories have been coming under increasing criticism from those who believe that the categories do not reflect the increasing racial and ethnic diversity of the population, and those who believe that the names of categories should be changed.

In response to these concerns, the OMB announced in 1993 that it would conduct a comprehensive review of Directive 15. The decision to conduct this review prompted both support and opposition. Those who supported revising the Directive argued that mixed race individuals who had to choose a single racial category were being denied their full heritage, and were being forced to choose between their parents. They further argued that the information being collected was erroneous. Those who opposed changes to Directive 15 expressed concern that minority groups might lose political and economic clout because their numbers may shrink if new racial classifications were available. In addition, they worried that collecting multiracial information might confuse issues of fairness and compliance with anti-discrimination and civil rights legislation. Others objected to adding a "multiracial" category since choosing this category without specifying racial makeup equally denied identity.

The OMB review of Directive 15 was conducted in collaboration with the Interagency Committee for the Review of the Racial and Ethnic Standards, which represented more than 30 federal agencies. The two major components of the review were: (1) Public comment on the present standards; and (2) Research and testing to assess the possible effects of changes on the quality of the resulting data.

Public input was collected through hearings, workshops and public comment. Results of the research and testing aspects of the review were reported in the following publications:

- Testing Methods of Collecting Racial and Ethnic Information: Results of the Current Population Survey Supplement of Race and Ethnicity, 1995.
- Results of the 1996 Race and Ethnic Targeted Test, 1996.
- Racial and Ethnic Classifications Used by Public Schools, 1996.
- Recommendations From the Interagency Committee for the Review of the Racial and Ethnic Standards to the Office of Management and Budget Concerning Changes for the Standards for the Classification of Federal Data on Race and Ethnicity, 1997.
- Office of Management and Budget, Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity.

Findings of the federal review led to the October 1997 issuance of revisions to Directive 15 by the Office of Management and Budget (OMB). A complete copy of the OMB report is presented in Appendix A. The following is a summary of the new standards:

- A method for reporting more than one race will be adopted. This method will take the form of multiple responses to a single question listing races, and individuals may choose to

identify with more than one race. The list of races will **not** include a 'multiracial' category.

- When self-identification is used, a two-question format will be used to collect race and Hispanic ethnicity information, with the Hispanic origin question preceding the race question. If race and ethnicity are collected separately, which is preferable, the minimum designations are:

**Ethnicity:**

- (A) Hispanic or Latino
- (B) Not Hispanic or Latino

**Race:**

- (A) American Indian or Alaska Native
- (B) Asian
- (C) Black or African American
- (D) Native Hawaiian or Other Pacific Islander
- (E) White

- Respondents may select one or more racial designations. The instructions accompanying the questions should state either "Mark one or more" or "Select one or more." Data producers will, at a minimum, present the number of respondents who identified with more than one race. Presentation of more detailed data is encouraged.
- When self-identification is not possible, a combined race/ethnicity question can be used and should include a separate Hispanic/Latino category coequal with the other categories.
- These standards are effective immediately for all new and revised data reporting instruments. Existing reporting instruments should conform as soon as possible, but not later than January 1, 2003.
- A group of statistical and policy experts are currently reviewing tabulation issues and will provide recommendations to OMB by Spring 1998.

The following definitions of race and ethnicity categories will be used:

**American Indian or Alaska Native**--A person having origins in any of the original peoples of North and South American (including Central America), and who maintains tribal affiliation or community attachment.

**Asian**--A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand and Vietnam.

**Black or African American**--A person having origins in any of the black racial groups of Africa. Terms such as "Haitian" or "Negro" can be used in addition to "Black or African American."

**Native Hawaiian or Other Pacific Islander**--A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

**White**--A person having origins in any of the original peoples of Europe, the Middle East or North Africa.

**Hispanic or Latino**--A person of Cuban, Mexican, Puerto Rican, Cuban, South or Central American, or other Spanish culture or origin, regardless of race. The term "Spanish Origin" can be used in addition to "Hispanic or Latino."

## CREATION OF THE TASK FORCE ON MULTIRACIAL DESIGNATIONS

House Bill 215, *Government-Forms-Use of "Multiracial" Preferred*, was introduced by Delegate Anne Healey and fifteen cosponsors in 1995. The intent of the bill was to provide an option for racial self-identification for individuals of mixed race. HB 215 passed both houses of the General Assembly, with the final vote in the House of Delegates 124-10, and the final vote in the Senate 46-0. Despite this overwhelming legislative support, Governor Parris Glendening vetoed the bill on May 24, 1995, stating that it would be inadvisable for Maryland to make changes in race categories until the OMB completed their review of Directive 15. A copy of the veto message is included in Appendix B of this report.

Despite his veto of HB 215, the Governor was sympathetic to the social issues raised by the bill, and on April 30, 1996 signed into law House Bill 1080, which created the Task Force on Multiracial Designations (Appendix C). The Task Force was charged with studying issues concerning the possible addition of a multiracial category on State forms that request racial identification information, and developing recommendations for changes in statutes, regulations, or procedures. As stipulated in HB 1080, the following Task Force members were appointed:

|  |  |
|--|--|
| Isabelle L. Horon, Dr.P.H., Chairperson  | Adoptive parent of a multiracial child         |
| The Honorable Paula C. Hollinger         | Member, Maryland State Senate                  |
| The Honorable Michael J. Collins         | Member, Maryland State Senate                  |
| The Honorable Anne Healey                | Member, Maryland House of Delegates            |
| The Honorable Obie Patterson             | Member, Maryland House of Delegates            |
| Ms. Jill A. Basye                        | Representative, Department of Education        |
| Dr. Ricka Keeney Markowitz               | Representative, Department of Education        |
| Mr. Richard Eugene Herring               | Representative, Department of General Services |
| Ms. Luwanda W. Jenkins / Mr. Ernie Mosby | Executive Director, Office of Minority Affairs |
| J. Joseph Dalton, Ph.D.                  | Principal, Wheaton High School                 |
| William P. O'Hare, Ph.D.                 | Demographer                                    |
| Ms. Phebe R. Jacobsen                    | Genealogist                                    |
| Ms. Shegoftah N. Queen                   | Biological parent of a multiracial child       |

The Task Force was convened in December 1996 and held its first meeting on February 11, 1997. A total of nine Task Force meetings were held, eight in Annapolis and one in Baltimore. Meetings were used for planning, review of information and preparation of recommendations. Minutes of the meetings are presented in Appendix D.

## **REVIEW OF INFORMATION**

In formulating recommendations to the Governor and General Assembly, the Task Force focused on the review of information covering the following areas:

1. Public input
2. The financial impact of making changes to State forms
3. The need to meet federal reporting requirements

The information reviewed by the Task Force in its recommendations included data collected through public hearings, federal documents, fiscal data, the experiences of other states, and racial and ethnic data describing the Maryland population.

### **Diversity of the Maryland population**

Since information on multiracial individuals is not currently collected, the Task Force was not able to determine the size of the multiracial population in Maryland. However, the Task Force was able to review information on the number of births to parents of different races. The findings of this review were:

- The percentage of infants born to parents of different races has increased from less than 1% in 1970 to 7% in 1995.
- Six percent of infants born to White mothers in 1995 had non-White fathers.
- Five percent of infants born to African American mothers in 1995 had non-African American fathers.
- Fifty-five percent of infants born to American Indian mothers in 1995 had non-American Indian fathers.
- Twenty-two percent of infants born to Asian mothers in 1995 had non-Asian fathers.
- The concentration of births to parents of differing races was greatest in the National Capital and Southern Areas of the state.
- Nearly 40% of parents of Hispanic origin listed their race as "Other", suggesting confusion in their understanding of the existing race/ethnicity questions.

Tables and charts relating to births by race and ethnicity are in Appendix E.

### **Federal documents**

The Task Force reviewed the following documents that were produced as a result of the federal review of Directive 15:

- Testing Methods of Collecting Racial and Ethnic Information: Results of the Current Population Survey Supplement of Race and Ethnicity, 1995.
- Results of the 1996 Race and Ethnic Targeted Test, 1996.
- Racial and Ethnic Classifications Used by Public Schools, 1996.
- Recommendations From the Interagency Committee for the Review of the Racial and Ethnic Standards to the Office of Management and Budget Concerning Changes for the Standards for the Classification of Federal Data on Race and Ethnicity, 1997.
- Office of Management and Budget, Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity.

### **Fiscal impact**

The fiscal note on House Bill 215, *State Government-Forms-Use of "Multiracial" Preferred*, indicated that there would be minimal costs involved in adding a multiracial category to State forms. (Appendix F). However, Task Force members suggested that there could be significant costs involved in implementing changes to the manner in which these data are collected, analyzed and reported. Many State and local data collection forms would have to be changed, computer programs would have to be modified, and coders' manuals would have to be updated. In addition, there would be costs involved in the training that would be needed to instruct staff in the new procedures.

In 1995, a request was received from the Legislative Office within the Office of the Governor to obtain copies of all State forms containing requests for racial and ethnic identification information. These forms, along with current statistical summaries obtained from the annual report of the Records Management Division of the Department of General Services, have allowed the Task Force to give a cursory assessment of the number of forms to be changed. State agencies, with the exception of the University of Maryland System, would need to redesign approximately 9% of their forms collectively. The University of Maryland System (UM) would need to redesign approximately 6% of their forms. Those state agencies, excluding UM, which would most heavily affected with forms redesign are as follows:

- Maryland State Department of Education
- Maryland Department of General Services
- Maryland Department of Health and Mental Hygiene

- Department of Housing and Community Development
- Department of Human Resources
- Department of Natural Resources
- Department of Public Safety and Correctional Services
- Department of Transportation
- Maryland Office of Aging
- Maryland Public Broadcasting Commission
- Maryland State Police
- Department of Business and Economic Development

It is estimated that the total number of forms requiring change would range from 800-1000.

The Task Force requested that the Department of Legislative Reference research the fiscal impact of similar laws passed in other states. The research was not helpful since these laws were so recent that actual costs were not available.

Consequently, the Task Force was not able to estimate the costs involved in making such changes. Regardless of the recommendations of the Task Force, many state agencies are required to report to federal agencies and will be required to make changes in their data collection forms to comply with revised standards of Directive 15. Therefore, the recommendations of this Task Force should not result in additional expenditures.

### **Public input**

The purpose of holding public hearings was to collect input from Marylanders on how they believe racial and ethnic information should be collected on State forms. The task force solicited comments concerning:

- The adequacy of current categories for collecting race and ethnicity information.
- The need to capture information on mixed race individuals.
- Specific suggestions for changes and/or additions to current categories of race and ethnicity.
- Suggestions for changes in terminology for existing categories and/or suggested nomenclature for new categories.
- The issue of self-identification vs. observer identification in collecting racial and ethnic information.

- Five public hearings were held in September and October 1997 at the following locations:

| Date               | Location  |
|--------------------|---|
| September 30, 1997 | South Hagerstown High School<br>1101 S. Potomac Street<br>Hagerstown, MD 21740      |
| October 7, 1997    | Montgomery Blair High School<br>313 Wayne Avenue<br>Silver Spring, Maryland 21910   |
| October 9, 1997    | Westlake High School<br>3300 Middletown Road<br>Waldorf, Maryland 20603             |
| October 14, 1997   | Parkside High School<br>1015 Beaglin Park Drive<br>Salisbury, Maryland 21801        |
| October 15, 1997   | Western/Poly High School<br>1400 West Cold Spring Lane<br>Baltimore, Maryland 21209 |

Each public hearing was staffed with two or more members of the Task Force. A transcriptionist was present to record testimony.

Publicity for the hearings was handled in the following manner:

- A media advisory was sent to the press through the Communications Office of the Department of Health and Mental Hygiene. The Associated Press, USA Today and many Maryland newspapers covered the story.
- A notice of each public hearing was placed in the Maryland Register.
- A mailing was sent to organizations with an interest in race and/or ethnicity.
- A special mailing and multiple phone calls were made to Carmela Vite, President of the Maryland PTA to request her help in publicizing the hearings among parents of school-age children. Ms. Vite did not return any voice mail messages, nor did she distribute any information about the hearings to local PTAs.
- Handouts were distributed at various locations.

In addition to publicizing the times and locations of the hearings, instructions were provided for sending comments to the Task Force by mail, fax, or electronic mail.

Despite these attempts to publicize the hearings, they were very poorly attended, with only 15 persons providing testimony. An additional nine individuals provided comment by mail, fax, or electronic mail. The following recommendations were made by those persons who expressed an opinion on the collection of racial and ethnic information:

|  |   |
|--|---|
| Make no changes to current forms         | 1 |
| Don't collect racial information         | 4 |
| Add multiracial/biracial category        | 8 |
| Add multiracial category plus check list | 3 |
| Use a check list only                    | 2 |
| Other                                    | 2 |

Lists of individuals testifying at the public hearings, minutes of the hearings and written comments sent to the Task Force are in Appendix G.

## **RECOMMENDATIONS**

Based on the information presented in this report, the Task Force on Multiracial Designations makes the following recommendations to the Governor and General Assembly regarding standards for all Maryland State agencies that collect, produce or tabulate data on race and/or ethnicity:

### **Recommendation 1. A method for reporting more than one race should be adopted.**

- 1.a. This method of reporting should take the form of a 'check list', whereby an individual may select all race categories that apply.

*Rationale: The population is becoming increasingly diverse, and multiracial individuals should have the opportunity to identify with more than one race. The opportunity to select more than one race may increase self-esteem among the multiracial population, reduce nonresponse to the race question, increase the accuracy of race data and provide a more accurate picture of the changing population. Use of a check list approach will provide data consistent with the race data that will be collected by the federal government, therefore allowing State agencies to meet reporting requirements.*

- 1.b. The following check list of races should be provided to respondents:

- **American Indian or Alaska Native**--A person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community attachment.
- **Asian**--A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Island, Thailand and Vietnam.
- **Black or African American**--A person having origins in any of the black racial groups of Africa. Terms such as "Haitian" or "Negro" can be used in addition to "Black or African American."
- **Native Hawaiian or Other Pacific Islander**--A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
- **White**--A person having origins in any of the original peoples of Europe, the Middle East or North Africa.

*Rationale: Extensive research by the Interagency Committee for the Review of the Racial and Ethnic Standards has recommended use of these race categories. Use of these categories in Maryland will provide data in a format that is comparable to the data collected by the federal government.*

- 1.c. Instructions for completing the race question should be worded as follows:

**"Select one or more. If multiracial, check all that apply."**

*Rationale: The Task Force rejected the idea of creating a separate racial category labeled 'multiracial' since it would provide less detail about the composition of the population than the 'check all races that apply' approach. However, the Task Force recognizes that individuals who check more than one race are multiracial, and believe that this should be acknowledged when race information is requested.*

**Recommendation 2. A two-question format should be used to collect Hispanic/Latino origin and race information.**

- 2.a. The term 'Hispanic or Latino' should be used rather than the term 'Hispanic'. 'Hispanic or Latino' is defined as a person of Cuban, Mexican, Puerto Rican, Cuban, South or Central American, or other Spanish culture or origin, regardless of race.

*Rationale: Since regional usage of these terms differ, OMB has decided that the terms 'Hispanic' and 'Latino' should both be used. To provide comparable data, the Task Force recommends that this federal standard should also be used in*

*Maryland.*

- 2.b. Information on Hispanic/Latino origin will be collected as a separate question and will not be included as a category on the race question.

*Rationale: Hispanic/Latino is an ethnic category, not a race.*

- 2.c. The Hispanic/Latino origin question should precede the race question.

*Rationale: Research by the Interagency Committee for the Review of the Racial and Ethnic Standards has shown that more accurate race and ethnic information is obtained if the ethnicity and race questions are asked in the recommended order. Using a two-question approach to collect ethnicity and race data allows Hispanics to identify both their ethnic and racial identities.*

**Recommendation 3. Observer identification of Hispanic/Latino origin and race should occur only when self-identification is not possible.**

*Rationale: The respondent should select his or her ethnic origin and race, not an observer. When self-identification is not possible (e.g., when the individual is incapacitated), an attempt should be made to request race and ethnicity information from family or friends.*

**Recommendation 4. These standards should be effective immediately for all new and revised data collection instruments. Existing forms should conform as soon as possible, but not later than January 1, 2002. On an interim basis, and to the extent practical, agencies should be encouraged to permit more than one race to be collected on current forms.**

*Rationale: Time should be allowed to phase in changes. At its discretion, an agency may begin collecting data in the new format on current forms by instructing respondents to check all races that apply.*

**Recommendation 5. The effective date of any legislation resulting from these recommendations should be no later than July 1, 1998.**

The recommended format for presenting the ethnicity and race questions is shown on the following page.

## Recommended Format for Ethnicity and Race Questions

Are you Hispanic or Latino?

- 1. Yes
- 2. No

RACE: Select one or more. If multiracial, check all that apply:

- 1. American Indian or Alaska Native
- 2. Asian
- 3. Black or African American
- 4. Hispanic or Latino
- 5. Native Hawaiian or Other Pacific Islander
- 6. White

## OTHER ISSUES

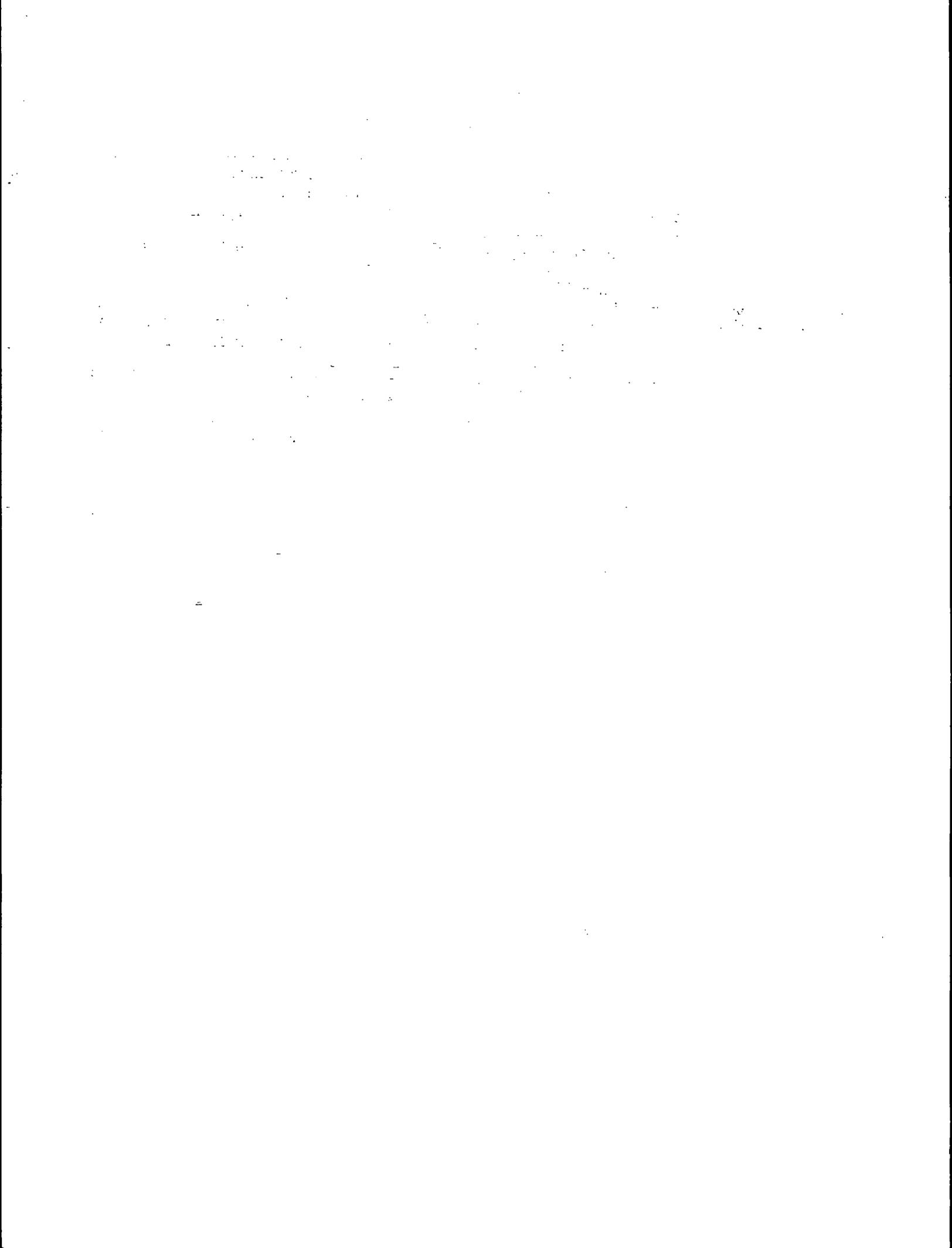
(1) Members of the Task Force wish to go on record as acknowledging the difficulties involved in defining race and ethnicity. We do not construe race to be solely biologically defined, but also socially and culturally defined.

(2) The Interagency Committee for the Review of the Racial and Ethnic Standard has only begun to address the issues involved in tabulating multiple responses to the race question. A group of statistical and policy experts are currently reviewing tabulation issues and will provide recommendations to OMB in the Spring of 1998 for release in the Fall of 1998. Any legislation that results from this Task Force report should take into consideration the recommendations of the federal analysis.

- 
1. Webster's II New Riverside University Dictionary. Houghton Mifflin Company, 1988.
  2. Diamond, J.: Race Without Color, Discover, November 1994.
  3. Shreeve, J.: Terms of Estrangement, Discover, November 1994.
  4. Anderson, M. And Fienberg, SE: Black, White and Shades of Gray (and Brown and Yellow), Chance, 8 (1):15, 1995.
  5. Jacobsen, P.: Private communication, 1997.

## Appendix A

Office of Management and Budget: Revisions to the Standards  
for the Classification of Federal Data on Race and Ethnicity



## OFFICE OF MANAGEMENT AND BUDGET

### Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity

**AGENCY:** Executive Office of the President, Office of Management and Budget (OMB), Office of Information and Regulatory Affairs

**ACTION:** Notice of decision.

**SUMMARY:** By this Notice, OMB is announcing its decision concerning the revision of Statistical Policy Directive No. 15, Race and Ethnic Standards for Federal Statistics and Administrative Reporting. OMB is accepting the recommendations of the Interagency Committee for the Review of the Racial and Ethnic Standards with the following two modifications: (1) the Asian or Pacific Islander category will be separated into two categories -- "Asian" and "Native Hawaiian or Other Pacific Islander," and (2) the term "Hispanic" will be changed to "Hispanic or Latino."

The revised standards will have five minimum categories for data on race: American Indian or Alaska Native, Asian, Black or African American, Native Hawaiian or Other Pacific Islander, and White. There will be two categories for data on ethnicity: "Hispanic or Latino" and "Not Hispanic or Latino."

The Supplementary Information in this Notice provides background information on the standards (Section A); a summary of the comprehensive review process that began in July 1993 (Section B); a brief synopsis of the public comments OMB received on the recommendations for changes to the standards in response to the July 9, 1997, Federal Register Notice (Section C); OMB's decisions on the specific recommendations of the Interagency Committee (Section D); and information on the work that is underway on tabulation issues associated with the reporting of multiple race responses (Section E).

The revised standards for the classification of Federal data on race and ethnicity are presented at the end of this notice; they replace and supersede Statistical Policy Directive No. 15.

**EFFECTIVE DATE:** The new standards will be used by the Bureau of the Census in the 2000 decennial census. Other Federal programs should adopt the standards as soon as possible, but not later than January 1, 2003, for use in household surveys, administrative forms and records, and other data collections. In addition, OMB has approved the use of the new standards by the Bureau of the Census in the "Dress Rehearsal" for Census 2000 scheduled to be conducted in March 1998.

**ADDRESSES:** Please send correspondence about OMB's decision to: Katherine K. Wallman, Chief Statistician, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10201 New Executive Office Building, 725 17th Street, N.W., Washington, D.C. 20503; fax: (202) 395-7245.

**ELECTRONIC AVAILABILITY AND ADDRESSES:** This Federal Register Notice and the related OMB Notices of June 9, 1994, August 28, 1995, and July 9, 1997, are available electronically from the OMB Homepage on the World Wide Web:

<<<http://www.whitehouse.gov/WH/EOP/OMB/html/fedreg.html>>>.

Federal Register Notices are also available electronically from the U.S. Government Printing Office web site: <<[http://www.access.gpo.gov/su\\_docs/aces/aces140.html](http://www.access.gpo.gov/su_docs/aces/aces140.html)>>. Questions about accessing the Federal Register online via GPO Access may be directed to telephone (202) 512-1530 or toll free at (888) 293-6498; to fax (202) 512-1262; or to E-mail <<[gpoaccess@gpo.gov](mailto:gpoaccess@gpo.gov)>>.

This Notice is available in paper copy from the OMB Publications Office, 725 17th Street, NW, NEOB, Room 2200, Washington, D.C. 20503; telephone (202) 395-7332; fax (202) 395-6137.

**FOR FURTHER INFORMATION CONTACT:** Suzann Evinger, Statistical Policy Office, Office of Information and Regulatory Affairs, Office of Management and Budget, NEOB, Room 10201, 725 17th

Street, N.W., Washington, D.C. 20503; telephone: (202) 395-3093; fax (202) 395-7245.

## **SUPPLEMENTARY INFORMATION:**

### **A. Background**

For more than 20 years, the current standards in OMB's Statistical Policy Directive No. 15 have provided a common language to promote uniformity and comparability for data on race and ethnicity for the population groups specified in the Directive. They were developed in cooperation with Federal agencies to provide consistent data on race and ethnicity throughout the Federal Government. Development of the data standards stemmed in large measure from new responsibilities to enforce civil rights laws. Data were needed to monitor equal access in housing, education, employment, and other areas, for populations that historically had experienced discrimination and differential treatment because of their race or ethnicity. The standards are used not only in the decennial census (which provides the data for the "denominator" for many measures), but also in household surveys, on administrative forms (e.g., school registration and mortgage lending applications), and in medical and other research. The categories represent a social-political construct designed for collecting data on the race and ethnicity of broad population groups in this country, and are not anthropologically or scientifically based.

### **B. Comprehensive Review Process**

Particularly since the 1990 census, the standards have come under increasing criticism from those who believe that the minimum categories set forth in Directive No. 15 do not reflect the increasing diversity of our Nation's population that has resulted primarily from growth in immigration and in interracial marriages. In response to the criticisms, OMB announced in July 1993 that it would undertake a comprehensive review of the current categories for data on race and ethnicity.

This review has been conducted over the last four years in collaboration with the Interagency Committee for the Review of the Racial and Ethnic Standards, which OMB established in March 1994 to facilitate the participation of Federal agencies in the review. The members of the Interagency Committee, from more than 30 agencies, represent the many and diverse Federal needs for data on race and ethnicity, including statutory requirements for such data. The Interagency Committee developed the following principles to govern the review process:

1. The racial and ethnic categories set forth in the standards should not be interpreted as being primarily biological or genetic in reference. Race and ethnicity may be thought of in terms of social and cultural characteristics as well as ancestry.
2. Respect for individual dignity should guide the processes and methods for collecting data on race and ethnicity; ideally, respondent self-identification should be facilitated to the greatest extent possible, recognizing that in some data collection systems observer identification is more practical.
3. To the extent practicable, the concepts and terminology should reflect clear and generally understood definitions that can achieve broad public acceptance. To assure they are reliable, meaningful, and understood by respondents and observers, the racial and ethnic categories set forth in the standard should be developed using appropriate scientific methodologies, including the social sciences.
4. The racial and ethnic categories should be comprehensive in coverage and produce compatible, nonduplicative, exchangeable data across Federal agencies.
5. Foremost consideration should be given to data aggregations by race and ethnicity that are useful for statistical analysis and program administration and assessment, bearing in mind that the standards are not intended to be used to establish eligibility for participation in any federal program.
6. The standards should be developed to meet, at a minimum, Federal legislative and programmatic requirements. Consideration should also be given to needs at the State and local government levels, including American Indian tribal and Alaska Native village governments, as well as to general societal

needs for these data.

7. The categories should set forth a minimum standard; additional categories should be permitted provided they can be aggregated to the standard categories. The number of standard categories should be kept to a manageable size, determined by statistical concerns and data needs.

8. A revised set of categories should be operationally feasible in terms of burden placed upon respondents; public and private costs to implement the revisions should be a factor in the decision.

9. Any changes in the categories should be based on sound methodological research and should include evaluations of the impact of any changes not only on the usefulness of the resulting data but also on the comparability of any new categories with the existing ones.

10. Any revision to the categories should provide for a crosswalk at the time of adoption between the old and the new categories so that historical data series can be statistically adjusted and comparisons can be made.

11. Because of the many and varied needs and strong interdependence of Federal agencies for racial and ethnic data, any changes to the existing categories should be the product of an interagency collaborative effort.

12. Time will be allowed to phase in any new categories. Agencies will not be required to update historical records.

13. The new directive should be applicable throughout the U.S. Federal statistical system. The standard or standards must be usable for the decennial census, current surveys, and administrative records, including those using observer identification.

The principal objective of the review has been to enhance the accuracy of the demographic information collected by the Federal Government. The starting point for the review was the minimum set of categories for data on race and ethnicity that have provided information for more than 20 years for a variety of purposes, and the recognition of the importance of being able to maintain this historical continuity. The review process has had two major elements: (1) public comment on the present standards, which helped to identify concerns and provided numerous suggestions for changing the standards; and (2) research and testing related to assessing the possible effects of suggested changes on the quality and usefulness of the resulting data.

Public input, the first element of the review process, was sought through a variety of means: (1) During 1993, Congressman Thomas C. Sawyer, then Chairman of the House Subcommittee on Census, Statistics, and Postal Personnel, held four hearings that included 27 witnesses, focusing particularly on the use of the categories in the 2000 census. (2) At the request of OMB, the National Academy of Sciences' Committee on National Statistics (CNSTAT) conducted a workshop in February 1994 to articulate issues surrounding a review of the categories. The workshop included representatives of Federal agencies, academia, social science research institutions, interest groups, private industry, and a local school district. (A summary of the workshop, Spotlight on Heterogeneity: The Federal Standards for Racial and Ethnic Classification, is available from CNSTAT, 2101 Constitution Avenue, N.W., Washington, D.C. 20418.) (3) On June 9, 1994, OMB published a Federal Register (59 FR 29831-29835) Notice that contained background information on the development of the current standards and requested public comment on: the adequacy of current racial and ethnic categories; the principles that should govern any proposed revisions to the standards; and specific suggestions for change that had been offered by individuals and interested groups over a period of several years. In response, OMB received nearly 800 letters. As part of this comment period and to bring the review closer to the public, OMB also heard testimony from 94 witnesses at hearings held during July 1994 in Boston, Denver, San Francisco, and Honolulu. (4) In an August 28, 1995, Federal Register (60 FR 44674-44693) Notice, OMB provided an interim report on the review process, including a summary of the comments on the June 1994 Federal Register Notice, and offered a final opportunity for comment on the research to be conducted during 1996. (5) OMB staff have also discussed the review process with

various interested groups and have made presentations at numerous meetings.

The second element of the review process involved research and testing of various proposed changes. The categories in OMB's Directive No. 15 are used not only to produce data on the demographic characteristics of the population, but also to monitor civil rights enforcement and program implementation. Research was undertaken to provide an objective assessment of the data quality issues associated with various approaches to collecting data on race and ethnicity. To that end, the Interagency Committee's Research Working Group, co-chaired by the Bureau of the Census and the Bureau of Labor Statistics, reviewed the various criticisms and suggestions for changing the current categories, and developed a research agenda for some of the more significant issues that had been identified. These issues included how to collect data on persons who identify themselves as "multiracial"; whether to combine race and Hispanic origin in one question or have separate questions on race and Hispanic origin; whether to combine the concepts of race, ethnicity, and ancestry; whether to change the terminology used for particular categories; and whether to add new categories to the current minimum set.

Because the mode of data collection can have an effect on how a person responds, the research agenda proposed studies both in surveys using in-person or telephone interviews and in self-administered questionnaires, such as the decennial census, which are filled out by the respondent and mailed back. Cognitive interviews were conducted with various groups to provide guidance on the wording of the questions and the instructions for the tests and studies.

The research agenda included several major national tests, the results of which are discussed throughout the Interagency Committee's Report to the Office of Management and Budget on the Review of Statistical Policy Directive No. 15: (1) In May 1995, the Bureau of Labor Statistics (BLS) sponsored a Supplement on Race and Ethnicity to the Current Population Survey (CPS). The findings were made available in a 1996 report, Testing Methods of Collecting Racial and Ethnic Information: Results of the Current Population Survey Supplement on Race and Ethnicity, available from BLS, 2 Massachusetts Avenue, N.E., Room 4915, Postal Square Building, Washington, D.C. 20212, or by calling 202-606-7375. The results were also summarized in an October 26, 1995, news release, which is available electronically at <<<http://stats.bls.gov/news.release/ethnic.toc.htm>>>. (2) The Bureau of the Census, as part of its research for the 2000 census, tested alternative approaches to collecting data on race and ethnicity in the March 1996 National Content Survey (NCS). The Census Bureau published the results in a December 1996 report, Findings on Questions on Race and Hispanic Origin Tested in the 1996 National Content Survey; highlights of the report are available at <<<http://www.census.gov/population/www/socdemo/96natcontentsurvey.html>>>. (3) In June 1996, the Census Bureau conducted the Race and Ethnic Targeted Test (RAETT), which was designed to permit assessments of the effects of possible changes on smaller populations not reliably measured in national samples, including American Indians, Alaska Natives, detailed Asian and Pacific Islander groups (such as Chinese and Hawaiians), and detailed Hispanic groups (such as Puerto Ricans and Cubans). The Census Bureau released the results in a May 1997 report, Results of the 1996 Race and Ethnic Targeted Test; highlights of the report are available at <<<http://www.census.gov/population/www/documentation/twps-0018.html>>>. Single copies (paper) of the NCS and RAETT reports may be obtained from the Population Division, U.S. Bureau of the Census, Washington, D.C. 20233; telephone 301-457-2402.

In addition to these three major tests, the National Center for Education Statistics (NCES) and the Office for Civil Rights in the Department of Education jointly conducted a survey of 1,000 public schools to determine how schools collect data on the race and ethnicity of their students and how the administrative records containing these data are maintained to meet statutory requirements for reporting aggregate information to the Federal Government. NCES published the results in a March 1996 report, Racial and Ethnic Classifications Used by Public Schools (NCES 96-092). The report is available electronically at <<<http://nces.ed.gov/pubs/96092.html>>>. Single paper copies may be obtained from NCES, 555 New Jersey, NW, Washington, D.C. 20208-5574, or by calling 202-219-1442.

The research agenda also included studies conducted by the National Center for Health Statistics, the Office of the Assistant Secretary for Health, and the Centers for Disease Control and Prevention to

evaluate the procedures used and the quality of the information on race and ethnicity in administrative records such as that reported on birth certificates and recorded on death certificates.

On July 9, 1997, OMB published a Federal Register Notice (62 FR 36874 - 36946) containing the Interagency Committee's Report to the Office of Management and Budget on the Review of Statistical Policy Directive No. 15. The Notice made available for comment the Interagency Committee's recommendations for how OMB should revise Directive No. 15. The report consists of six chapters. Chapter 1 provides a brief history of Directive No. 15, a summary of the issues considered by the Interagency Committee, a review of the research activities, and a discussion of the criteria used in conducting the evaluation. Chapter 2 discusses a number of general concerns that need to be addressed when considering any changes to the current standards. Chapters 3 through 5 report the results of the research as they bear on the more significant suggestions OMB received for changes to Directive No. 15. Chapter 6 gives the Interagency's Committee's recommendations concerning the various suggested changes based on a review of public comments and testimony and the research results.

### **C. Summary of Comments Received on the Interagency Committee's Recommendations**

In response to the July 9, 1997, Federal Register Notice, OMB received approximately 300 letters (many of them hand written) on a variety of issues, plus approximately 7000 individually signed and mailed, preprinted postcards on the issue of classifying data on Native Hawaiians, and about 500 individually signed form letters from members of the Hapa Issues Forum in support of adopting the recommendation for multiple race reporting. Some of the 300 letters focused on a single recommendation of particular interest to the writer, while other letters addressed a number of the recommendations. The preponderance of the comments were from individuals. Each comment was considered in preparing OMB's decision.

#### **1. Comments on Recommendations Concerning Reporting More Than One Race**

The Interagency Committee recommended that, when self-identification is used, respondents who wish to identify their mixed racial heritage should be able to mark or select more than one of the racial categories originally specified in Directive No. 15, but that there should not be a "multiracial" category. This recommendation to report multiple races was favorably received by most of those commenting on it, including associations and organizations such as the American Medical Association, the National Education Association, the National Council of La Raza, and the National Committee on Vital and Health Statistics, as well as all Federal agencies that responded. Comments from some organizations, such as the NAACP Legal Defense and Educational Fund, the Lawyers' Committee for Civil Rights Under Law, and the Equal Employment Advisory Council, were receptive to the recommendation on multiple race responses, but expressed reservations pending development of tabulation methods to ensure the utility of these data. The recommendation was also supported by many of the advocacy groups that had earlier supported a "multiracial" (box) category, such as the Association of MultiEthnic Americans and its affiliates nationwide. Several individuals wrote in support of "multiple race" reporting, basing their comments on a September 1997 article, "What Race Am I?" in Mademoiselle magazine, which urged its readers "to express an opinion on whether or not a 'Multiracial' category should be included in all federal record keeping, including the 2000 census." A few comments specifically favoring multiple race responses suggested that respondents should also be asked to indicate their primary racial affiliation in order to facilitate the tabulation of responses. A handful of comments on multiple race reporting suggested that individuals with both Hispanic and non-Hispanic heritages be permitted to mark or select both categories (see discussion below).

A few comments, in particular some from state agencies and legislatures, opposed any multiple race reporting because of possible increased costs to collect the information and implementation problems. Comments from the American Indian tribal governments also were opposed to the recommendation concerning reporting more than one race. A number of the comments that supported multiple race responses also expressed concern about the cost and burden of collecting the information to meet Federal reporting requirements, the schedule for implementation, and how the data would be tabulated to meet the requirements of legislative redistricting and enforcement of the Voting Rights Act. A few comments expressed support for categories called "human," or "American"; several proposed that there be no

collection of data on race.

## 2. Comments on Recommendation for Classification of Data on Native Hawaiians

The Interagency Committee recommended that data on Native Hawaiians continue to be classified in the Asian or Pacific Islander category. This recommendation was opposed by the Hawaiian congressional delegation, the 7,000 individuals who signed and sent preprinted yellow postcards, the State of Hawaii departments and legislature, Hawaiian organizations, and other individuals who commented on this recommendation. Instead, the comments from these individuals supported reclassifying Native Hawaiians in the American Indian or Alaska Native category, which they view as an "indigenous peoples" category (although this category has not been considered or portrayed in this manner in the standards). Native Hawaiians, as the descendants of the original inhabitants of what is now the State of Hawaii, believe that as indigenous people they should be classified in the same category as American Indians and Alaska Natives. On the other hand, the American Indian tribal governments have opposed such a reclassification, primarily because they view the data obtained from that category as being essential for administering Federal programs for American Indians. Comments from the Native Hawaiians also noted the Asian or Pacific Islander category provides inadequate data for monitoring the social and economic conditions of Native Hawaiians and other Pacific Islander groups. Because the Interagency Committee had recommended against adding categories to the minimum set of categories, requesting a separate category for Native Hawaiians was not viewed as an option by those who commented.

## 3. Comments on Recommendation Concerning Classification of Data on Central and South American Indians

The Interagency Committee recommended that data for Central and South American Indians be included in the American Indian or Alaska Native category. Several comments from the American Indian community opposed this recommendation. Moreover, comments from some Native Hawaiians pointed out what they believed to be an inconsistency in the Interagency Committee's recommendation to include in the American Indian or Alaska Native category descendants of Central and South American Indians -- persons who are not original peoples of the United States -- if Native Hawaiians were not to be included.

## 4. Comments on Recommendation Not to Add an Arab or Middle Eastern Ethnic Category

The Interagency Committee recommended that an Arab or Middle Eastern ethnic category should not be added to the minimum standards for all reporting of Federal data on race and ethnicity. Several comments were received in support of having a separate category in order to have data viewed as necessary to monitor discrimination against this population.

## 5. Comments on Recommendations for Terminology

Comments on terminology largely supported the Interagency Committee's recommendations to retain the term "American Indian," to change "Hawaiian" to "Native Hawaiian," and to change "Black" to "Black or African American." There were a few requests to include "Latino" in the category name for the Hispanic population.

## **D. OMB's Decisions**

This section of the Notice provides information on the decisions taken by OMB on the recommendations that were proposed by the Interagency Committee. The Committee's recommendations addressed options for reporting by respondents, formats of questions, and several aspects of specific categories, including possible additions, revised terminology, and changes in definitions. In reviewing OMB's decisions on the recommendations for collecting data on race and ethnicity, it is useful to remember that these decisions:

retain the concept that the standards provide a minimum set of categories for data on race and ethnicity;

permit the collection of more detailed information on population groups provided that any additional categories can be aggregated into the minimum standard set of categories;

underscore that self-identification is the preferred means of obtaining information about an individual's race and ethnicity, except in instances where observer identification is more practical (e.g., completing a death certificate);

do not identify or designate certain population groups as "minority groups";

continue the policy that the categories are not to be used for determining the eligibility of population groups for participation in any Federal programs;

do not establish criteria or qualifications (such as blood quantum levels) that are to be used in determining a particular individual's racial or ethnic classification; and

do not tell an individual who he or she is, or specify how an individual should classify himself or herself.

In arriving at its decisions, OMB took into account not only the public comment on the recommendations published in the Federal Register on July 9, 1997, but also the considerable amount of information provided during the four years of this review process, including public comments gathered from hearings and responses to two earlier OMB Notices (on June 9, 1994, and August 28, 1995). The OMB decisions benefited greatly from the participation of the public that served as a constant reminder that there are real people represented by the data on race and ethnicity and that this is for many a deeply personal issue. In addition, the OMB decisions benefited from the results of the research and testing on how individuals identify themselves that was undertaken as part of this review process. This research, including several national tests of alternative approaches to collecting data on race and ethnicity, was developed and conducted by the professional statisticians and analysts at several Federal agencies. They are to be commended for their perseverance, dedication, and professional commitment to this challenging project.

OMB also considered in reaching its decisions the extent to which the recommendations were consistent with the set of principles (see Section B of the Supplementary Information) developed by the Interagency Committee to guide the review of this sensitive and substantively complex issue. OMB believes that the Interagency Committee's recommendations took into account the principles and achieved a reasonable balance with respect to statistical issues, data needs, social concerns, and the personal dimensions of racial and ethnic identification. OMB also finds that the Committee's recommendations are consistent with the principal objective of the review, which is to enhance the accuracy of the demographic information collected by the Federal Government by having categories for data on race and ethnicity that will enable the capture of information about the increasing diversity of our Nation's population while at the same time respecting each individual's dignity.

As indicated in detail below, OMB accepts the Interagency Committee's recommendations concerning reporting more than one race, including the recommendation that there be no category called "multiracial," the formats and sequencing of the questions on race and Hispanic origin, and most of the changes to terminology.

OMB does not accept the Interagency Committee's recommendations concerning the classification of data on the Native Hawaiian population and the terminology for Hispanics, and it has instead decided to make the changes that follow.

Native Hawaiian classification.--OMB does not accept the recommendation concerning the continued classification of Hawaiians in the Asian or Pacific Islander category. Instead, OMB has decided to break apart the Asian or Pacific Islander category into two categories -- one called "Asian" and the other called "Native Hawaiian or Other Pacific Islander." As a result, there will be five categories in the minimum set for data on race.

The "Native Hawaiian or Other Pacific Islander" category will be defined as "A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands." (The term "Native Hawaiian" does not include individuals who are native to the State of Hawaii by virtue of being born there.) In addition to Native Hawaiians, Guamanians, and Samoans, this category would include the following Pacific Islander groups reported in the 1990 census: Carolinian, Fijian, Kosraean, Melanesian, Micronesian, Northern Mariana Islander, Palauan, Papua New Guinean, Ponapean (Pohnpelan), Polynesian, Solomon Islander, Tahitian, Tarawa Islander, Tokelauan, Tongan, Trukese (Chuukese), and Yapese.

The "Asian" category will be defined as "A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam."

The Native Hawaiians presented compelling arguments that the standards must facilitate the production of data to describe their social and economic situation and to monitor discrimination against Native Hawaiians in housing, education, employment, and other areas. Under the current standards for data on race and ethnicity, Native Hawaiians comprise about three percent of the Asian and Pacific Islander population. By creating separate categories, the data on the Native Hawaiians and other Pacific Islander groups will no longer be overwhelmed by the aggregate data of the much larger Asian groups. Native Hawaiians will comprise about 60 percent of the new category.

The Asian, Native Hawaiian, and Pacific Islander population groups are well defined; moreover, there has been experience with reporting in separate categories for the Native Hawaiian and Pacific Islander population groups. The 1990 census included "Hawaiian," "Samoan," and "Guamanian" as response categories to the race question. In addition, two of the major tests conducted as part of the current review (the NCS and the RAETT) used "Hawaiian" and/or "Native Hawaiian," "Samoan," "Guamanian," and "Guamanian or Chamorro" as response options to the race question. These factors facilitate breaking apart the current category.

Terminology for Hispanics.--OMB does not accept the recommendation to retain the single term "Hispanic." Instead, OMB has decided that the term should be "Hispanic or Latino." Because regional usage of the terms differs -- Hispanic is commonly used in the eastern portion of the United States, whereas Latino is commonly used in the western portion -- this change may contribute to improved response rates.

The OMB decisions on the Interagency Committee's specific recommendations are presented below:

**(1) OMB accepts the following recommendations concerning reporting more than one race:**

When self-identification is used, a method for reporting more than one race should be adopted.

The method for respondents to report more than one race should take the form of multiple responses to a single question and **not** a "multiracial" category.

When a list of races is provided to respondents, the list should not contain a "multiracial" category.

Based on research conducted so far, two recommended forms for the instruction accompanying the multiple response question are "Mark one or more ..." and "Select one or more...."

If the criteria for data quality and confidentiality are met, provision should be made to report, at a minimum, the number of individuals identifying with more than one race. Data producers are encouraged to provide greater detail about the distribution of multiple responses.

The new standards will be used in the decennial census, and other data producers should conform as soon as possible, but not later than January 1, 2003.

**(2) OMB accepts the following recommendations concerning a combined race and Hispanic**

**ethnicity question:**

When self-identification is used, the two question format should be used, with the race question allowing the reporting of more than one race.

When self-identification is not feasible or appropriate, a combined question can be used and should include a separate Hispanic category co-equal with the other categories.

When the combined question is used, an attempt should be made, when appropriate, to record ethnicity and race or multiple races, but the option to indicate only one category is acceptable.

**(3) OMB accepts the following recommendations concerning the retention of both reporting formats:**

The two question format should be used in all cases involving self-identification.

The current combined question format should be changed and replaced with a new format which includes a co-equal Hispanic category for use, if necessary, in observer identification.

**(4) OMB accepts the following recommendation concerning the ordering of the Hispanic origin and race questions:**

When the two question format is used, the Hispanic origin question should precede the race question.

**(5) OMB accepts the following recommendation concerning adding Cape Verdean as an ethnic category:**

A Cape Verdean ethnic category should not be added to the minimum data collection standards.

**(6) OMB accepts the following recommendation concerning the addition of an Arab or Middle Eastern ethnic category:**

An Arab or Middle Eastern ethnic category should not be added to the minimum data standards.

**(7) OMB interprets the recommendation not to add any other categories to mean the expansion of the minimum set to include new population groups. The OMB decision to break apart the "Asian or Pacific Islander" category does not create a category for a new population group.**

**(8) OMB accepts the following recommendation concerning changing the term "American Indian" to "Native American":**

The term American Indian should not be changed to Native American.

**(9) OMB accepts the following recommendation concerning changing the term "Hawaiian" to "Native Hawaiian":**

The term "Hawaiian" should be changed to "Native Hawaiian."

**(10) OMB does not accept the recommendation concerning the continued classification of Native Hawaiians in the Asian or Pacific Islander category.**

OMB has decided to break apart the Asian or Pacific Islander category into two categories -- one called "Asian" and the other called "Native Hawaiian or Other Pacific Islander." As a result, there are five categories in the minimum set for data on race.

The "Native Hawaiian or Other Pacific Islander" category is defined as "A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands."

The "Asian" category is defined as "A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam."

**(11) OMB accepts the following recommendations concerning the use of "Alaska Native" instead of "Eskimo" and "Aleut":**

"Alaska Native" should replace the term "Alaskan Native."

Alaska Native should be used instead of Eskimo and Aleut.

The Alaska Native response option should be accompanied by a request for tribal affiliation when possible.

**(12) OMB accepts the following recommendations concerning the classification of Central and South American Indians:**

Central and South American Indians should be classified as American Indian.

The definition of the "American Indian or Alaska Native" category should be modified to include the original peoples from Central and South America.

In addition, OMB has decided to make the definition for the American Indian or Alaska Native category more consistent with the definitions of the other categories.

**(13) OMB accepts the following recommendations concerning the term or terms to be used for the name of the Black category:**

The name of the Black category should be changed to "Black or African American."

The category definition should remain unchanged.

Additional terms, such as Haitian or Negro, can be used if desired.

**(14) OMB decided to modify the recommendations concerning the term or terms to be used for Hispanic:**

The term used should be "Hispanic or Latino."

The definition of the category should remain unchanged.

In addition, the term "Spanish Origin," can be used if desired.

Accordingly, the Office of Management and Budget adopts and issues the revised minimum standards for Federal data on race and ethnicity for major population groups in the United States which are set forth at the end of this Notice.

#### **Topics for further research**

There are two areas where OMB accepts the Interagency Committee's recommendations but believes that further research is needed: (1) multiple responses to the Hispanic origin question and (2) an ethnic category for Arabs/Middle Easterners.

Multiple Responses to the Hispanic Origin Question.--The Interagency Committee recommended that respondents to Federal data collections should be permitted to report more than one race. During the most recent public comment process, a few comments suggested that the concept of "marking more than

one box" should be extended to the Hispanic origin question. Respondents are now asked to indicate if they are "of Hispanic origin" or "not of Hispanic origin." Allowing individuals to select more than one response to the ethnicity question would provide the opportunity to indicate ethnic heritage that is both Hispanic and non-Hispanic.

The term "Hispanic" refers to persons who trace their origin or descent to Mexico, Puerto Rico, Cuba, Central and South America, and other Spanish cultures. While there has been considerable public concern about the need to review Directive No. 15 with respect to classifying individuals of mixed racial heritage, there has been little comment on reporting both an Hispanic and a non-Hispanic origin. On many Federal forms, Hispanics can also express a racial identity on a separate race question. In the decennial census, individuals who consider themselves part Hispanic can also indicate additional heritages in the ancestry question.

On one hand, it can be argued that allowing individuals to mark both categories in the Hispanic origin question would parallel the instruction "to mark (or select) one or more" racial categories. Individuals would not have to choose between their parents' ethnic heritages, and movement toward an increasingly diverse society would be recognized.

On the other hand, because the matter of multiple responses to the Hispanic ethnicity question was not raised in the early phases of the public comment process, no explicit provisions were made for testing this approach in the research conducted to inform the review of Directive No. 15. While a considerable amount of research was focused on how to improve the response rate to the Hispanic origin question, it is unclear whether and to what extent explicitly permitting multiple responses to the Hispanic origin question would affect nonresponse to the race question or hamper obtaining more detailed data on Hispanic population groups.

Information on the possible impact of any changes on the quality of the data has been an essential element of the review. While the effects of changes in the Hispanic origin question are unknown, they could conceivably be substantial. Thus, OMB has decided not to include a provision in the standards that would explicitly permit respondents to select both "Hispanic origin" and "Not of Hispanic Origin" options. OMB believes that this is an item for future research. In the meantime, the ancestry question on the decennial census long form does provide respondents who consider themselves part Hispanic to write in additional heritages.

Research on an Arab/Middle Easterner category.--During the public comment process, OMB received a number of requests to add an ethnic category for Arabs/Middle Easterners so that data could be obtained that could be useful in monitoring discrimination. The public comment process indicated, however, that there was no agreement on a definition for this category. The combined race, Hispanic origin, and ancestry question in the RAETT, which was designed to address requests that were received from groups for establishing separate categories, did not provide a solution.

While OMB accepted the Interagency's Committee recommendation not to create a new category for this population group, OMB believes that further research should be done to determine the best way to improve data on this population group. Meanwhile, the write-ins to the ancestry question on the decennial census long form will continue to provide information on the number of individuals who identify their heritage as Arab or Middle Easterner.

## **E. Tabulation Issues**

The revised standards retain the concept of a minimum set of categories for Federal data on race and ethnicity and make possible at the same time the collection of data to reflect the diversity of our Nation's population. Since the Interagency Committee's recommendation concerning the reporting of more than one race was made available for public comment, the focus of attention has been largely on how the data would be tabulated. Because of the concerns expressed about tabulation methods and our own view of the importance of this issue, OMB committed to accelerate the work on tabulation issues when it testified in July 1997 on the Interagency Committee's recommendations.

A group of statistical and policy analysts drawn from the Federal agencies that generate or use these data has spent the past few months considering the tabulation issues. Although this work is still in its early stages, some preliminary guidance can be shared at this time. In general, OMB believes that, consistent with criteria for confidentiality and data quality, the tabulation procedures used by the agencies should result in the production of as much detailed information on race and ethnicity as possible.

Guidelines for tabulation ultimately must meet the needs of at least two groups within the Federal Government, with the overriding objective of providing the most accurate and informative body of data. The first group is composed of those government officials charged with carrying out constitutional and legislative mandates, such as redistricting legislatures, enforcing civil rights laws, and monitoring progress in anti-discrimination programs. (The legislative redistricting file produced by the Bureau of the Census, also known as the Public Law 94-171 file, is an example of a file meeting such legislative needs.) The second group consists of the staff of statistical agencies producing and analyzing data that are used to monitor economic and social conditions and trends.

Many of the needs of the first group can be met with an initial tabulation that provides, consistent with standards for data quality and confidentiality, the full detail of racial reporting; that is, the number of people reporting in each single race category and the number reporting each of the possible combinations of races, which would add to the total population. Depending on the judgment of users, the combinations of multiple responses could be collapsed. One method would be to provide separate totals for those reporting in the most common multiple race combinations and to collapse the data for other less frequently reported combinations. The specifics of the collapsed distributions must await the results of particular data collections. A second method would be to report the total selecting each particular race, whether alone or in combination with other races. These totals would represent upper bounds on the size of the populations who identified with each of the racial categories. In some cases, this latter method could be used for comparing data collected under the old standards with data collected under the new standards. It is important that users with the same or closely related responsibilities adopt the same tabulation method. Regardless of the method chosen for collapsing multiple race responses, the total number reporting more than one race must be made available, if confidentiality and data quality requirements can be met, in order to ensure that any changes in response patterns resulting from the new standards can be monitored over time.

Meeting the needs of the second group (those producing and analyzing statistical data to monitor economic and social conditions and trends), as well as some additional needs of the first group, may require different tabulation procedures. More research must be completed before guidelines that will meet the requirements of these users can be developed. A group of statistical and policy experts will review a number of alternative procedures and provide recommendations to OMB concerning these tabulation requirements by Spring 1998. Four of the areas in which further exploration is needed are outlined below.

Equal employment opportunity and other anti-discrimination programs have traditionally provided the numbers of people in the population by selected characteristics, including racial categories, for business, academic, and government organizations to use in evaluating conformance with program objectives. Because of the potentially large number of categories that may result from application of the new standards, many with very small numbers, it is not clear how this need for data will be best satisfied in the future.

The numbers of people in distinct groups based on decennial census results are used in developing sample designs and survey controls for major demographic surveys. For example, the National Health Interview Survey uses census data to increase samples for certain population groups, adjust for survey non-response, and provide weights for estimating health outcomes at the national level. The impact of having data for many small population groups with multiple racial heritages must be explored.

Vital statistics data include birth and death rates for various population groups. Typically the numerator (number of births or deaths) is derived from administrative records, while the denominator comes from intercensal population estimates. Birth certificate data on race are likely to have been self reported by the mother. Over time, these data may become comparable to data collected under the new standards. Death

certificate data, however, frequently are filled out by an observer, such as a mortician, physician, or funeral director. These data, particularly for the population with multiple racial heritages, are likely to be quite different from the information obtained when respondents report about themselves. Research to define comparable categories to be used in both numerators and denominators is needed to assure that vital statistics are as accurate and useful as possible.

More generally, statistical indicators are often used to measure change over time. Procedures that will permit meaningful comparisons of data collected under the previous standards with those that will be collected under the new standards need to be developed.

The methodology for tabulating data on race and ethnicity must be carefully developed and coordinated among the statistical agencies and other Federal data users. Moreover, just as OMB's review and decision processes have benefited during the past four years from extensive public participation, we expect to discuss tabulation methods with data users within and outside the Federal Government. OMB expects to issue additional guidance with respect to tabulating data on race and ethnicity by Fall 1998.

### **Sally Katzen**

*Administrator, Office of Information and Regulatory Affairs.*

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## **Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity**

This classification provides a minimum standard for maintaining, collecting, and presenting data on race and ethnicity for all Federal reporting purposes. The categories in this classification are social-political constructs and should not be interpreted as being scientific or anthropological in nature. They are not to be used as determinants of eligibility for participation in any Federal program. The standards have been developed to provide a common language for uniformity and comparability in the collection and use of data on race and ethnicity by Federal agencies.

The standards have five categories for data on race: American Indian or Alaska Native, Asian, Black or African American, Native Hawaiian or Other Pacific Islander, and White. There are two categories for data on ethnicity: "Hispanic or Latino," and "Not Hispanic or Latino."

### **1. Categories and Definitions**

The minimum categories for data on race and ethnicity for Federal statistics, program administrative reporting, and civil rights compliance reporting are defined as follows:

- **American Indian or Alaska Native.** A person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community attachment.
- **Asian.** A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.
- **Black or African American.** A person having origins in any of the black racial groups of Africa. Terms such as "Haitian" or "Negro" can be used in addition to "Black or African American."
- **Hispanic or Latino.** A person of Cuban, Mexican, Puerto Rican, Cuban, South or Central American, or other Spanish culture or origin, regardless of race. The term, "Spanish origin," can be used in addition to "Hispanic or Latino."
- **Native Hawaiian or Other Pacific Islander.** A person having origins in any of the original peoples

of Hawaii, Guam, Samoa, or other Pacific Islands.

-- **White.** A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

Respondents shall be offered the option of selecting one or more racial designations. Recommended forms for the instruction accompanying the multiple response question are "Mark one or more" and "Select one or more."

## **2. Data Formats**

The standards provide two formats that may be used for data on race and ethnicity. Self-reporting or self-identification using two separate questions is the preferred method for collecting data on race and ethnicity. In situations where self-reporting is not practicable or feasible, the combined format may be used.

In no case shall the provisions of the standards be construed to limit the collection of data to the categories described above. The collection of greater detail is encouraged; however, any collection that uses more detail shall be organized in such a way that the additional categories can be aggregated into these minimum categories for data on race and ethnicity.

With respect to tabulation, the procedures used by Federal agencies shall result in the production of as much detailed information on race and ethnicity as possible. However, Federal agencies shall not present data on detailed categories if doing so would compromise data quality or confidentiality standards.

### **a. Two-question format**

To provide flexibility and ensure data quality, separate questions shall be used wherever feasible for reporting race and ethnicity. When race and ethnicity are collected separately, ethnicity shall be collected first. If race and ethnicity are collected separately, the minimum designations are:

#### Race:

- American Indian or Alaska Native
- Asian
- Black or African American
- Native Hawaiian or Other Pacific Islander
- White

#### Ethnicity:

- Hispanic or Latino
- Not Hispanic or Latino

When data on race and ethnicity are collected separately, provision shall be made to report the number of respondents in each racial category who are Hispanic or Latino.

When aggregate data are presented, data producers shall provide the number of respondents who marked (or selected) only one category, separately for each of the five racial categories. In addition to these numbers, data producers are strongly encouraged to provide the detailed distributions, including all possible combinations, of multiple responses to the race question. If data on multiple responses are collapsed, at a minimum the total number of respondents reporting "more than one race" shall be made

available.

**b. Combined format**

The combined format may be used, if necessary, for observer-collected data on race and ethnicity. Both race (including multiple responses) and ethnicity shall be collected when appropriate and feasible, although the selection of one category in the combined format is acceptable. If a combined format is used, there are six minimum categories:

- American Indian or Alaska Native
- Asian
- Black or African American
- Hispanic or Latino
- Native Hawaiian or Other Pacific Islander
- White

When aggregate data are presented, data producers shall provide the number of respondents who marked (or selected) only one category, separately for each of the six categories. In addition to these numbers, data producers are strongly encouraged to provide the detailed distributions, including all possible combinations, of multiple responses. In cases where data on multiple responses are collapsed, the total number of respondents reporting "Hispanic or Latino and one or more races" and the total number of respondents reporting "more than one race" (regardless of ethnicity) shall be provided.

**3. Use of the Standards for Record Keeping and Reporting**

The minimum standard categories shall be used for reporting as follows:

**a. Statistical reporting**

These standards shall be used at a minimum for all federally sponsored statistical data collections that include data on race and/or ethnicity, except when the collection involves a sample of such size that the data on the smaller categories would be unreliable, or when the collection effort focuses on a specific racial or ethnic group. Any other variation will have to be specifically authorized by the Office of Management and Budget (OMB) through the information collection clearance process. In those cases where the data collection is not subject to the information collection clearance process, a direct request for a variance shall be made to OMB.

**b. General program administrative and grant reporting**

These standards shall be used for all Federal administrative reporting or record keeping requirements that include data on race and ethnicity. Agencies that cannot follow these standards must request a variance from OMB. Variances will be considered if the agency can demonstrate that it is not reasonable for the primary reporter to determine racial or ethnic background in terms of the specified categories, that determination of racial or ethnic background is not critical to the administration of the program in question, or that the specific program is directed to only one or a limited number of racial or ethnic groups.

**c. Civil rights and other compliance reporting**

These standards shall be used by all Federal agencies in either the separate or combined format for civil rights and other compliance reporting from the public and private sectors and all levels of government. Any variation requiring less detailed data or data which cannot be aggregated into the basic categories

must be specifically approved by OMB for executive agencies. More detailed reporting which can be aggregated to the basic categories may be used at the agencies' discretion.

#### **4. Presentation of Data on Race and Ethnicity**

Displays of statistical, administrative, and compliance data on race and ethnicity shall use the categories listed above. The term "nonwhite" is not acceptable for use in the presentation of Federal Government data. It shall not be used in any publication or in the text of any report.

In cases where the standard categories are considered inappropriate for presentation of data on particular programs or for particular regional areas, the sponsoring agency may use:

- a. The designations "Black or African American and Other Races" or "All Other Races" as collective descriptions of minority races when the most summary distinction between the majority and minority races is appropriate;
- b. The designations "White," "Black or African American," and "All Other Races" when the distinction among the majority race, the principal minority race, and other races is appropriate; or
- c. The designation of a particular minority race or races, and the inclusion of "Whites" with "All Other Races" when such a collective description is appropriate.

In displaying detailed information that represents a combination of race and ethnicity, the description of the data being displayed shall clearly indicate that both bases of classification are being used.

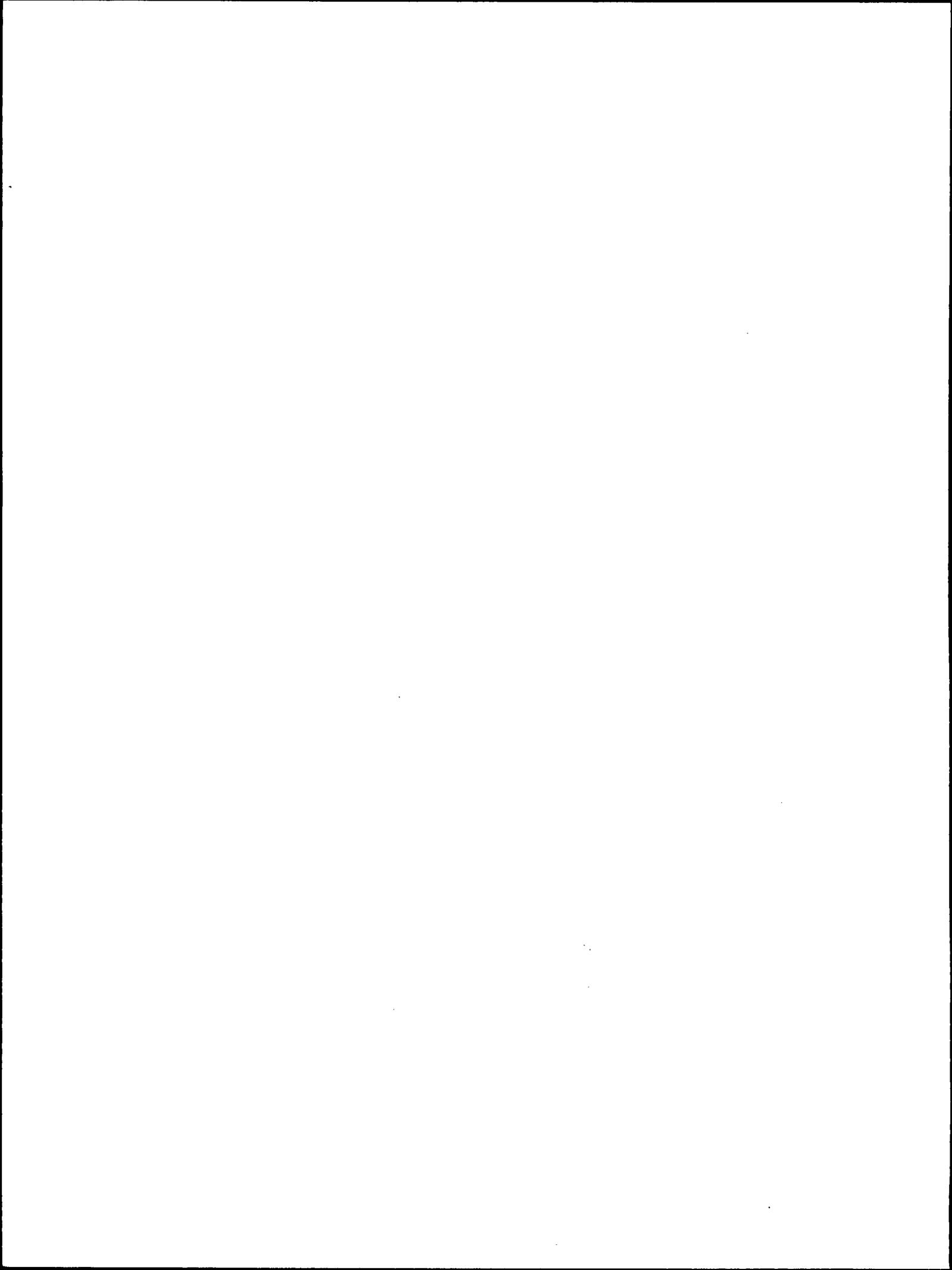
When the primary focus of a report is on two or more specific identifiable groups in the population, one or more of which is racial or ethnic, it is acceptable to display data for each of the particular groups separately and to describe data relating to the remainder of the population by an appropriate collective description.

#### **5. Effective Date**

The provisions of these standards are effective immediately for all new and revised record keeping or reporting requirements that include racial and/or ethnic information. All existing record keeping or reporting requirements shall be made consistent with these standards at the time they are submitted for extension, or not later than January 1, 2003.

# Appendix B

Veto Message  
House Bill 215





STATE OF MARYLAND  
OFFICE OF THE GOVERNOR

PARRIS N. GLENDENING  
GOVERNOR

May 24, 1995

5/30/95

FILE \_\_\_\_\_

HOLD \_\_\_\_\_

NOTE \_\_\_\_\_

DATE \_\_\_\_\_

BY \_\_\_\_\_

REASON \_\_\_\_\_

DATE \_\_\_\_\_

BY \_\_\_\_\_

ANNAPOLIS OFFICE  
STATE HOUSE  
100 STATE CIRCLE  
ANNAPOLIS, MARYLAND 21401  
(410) 974-3801

WASHINGTON OFFICE  
SUITE 311  
444 NORTH CAPITOL STREET, N.W.  
WASHINGTON, D.C. 20001  
(202) 638-2215

TDD (410) 333-3088

The Honorable Casper R. Taylor, Jr.  
Speaker of the House of Delegates  
State House  
Annapolis, Maryland 21401-1991

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed House Bill 215.

House Bill 215 would require State agencies that use forms that require identification of an individual by race to include the term "multiracial" as an option of race.

The legislative history of House Bill 215 indicates that the intent of the measure was to provide an option for racial self-identification for children whose parents are socially recognized as belonging to different races. Such an option would prevent those children from being forced to select the race of one parent over the other.

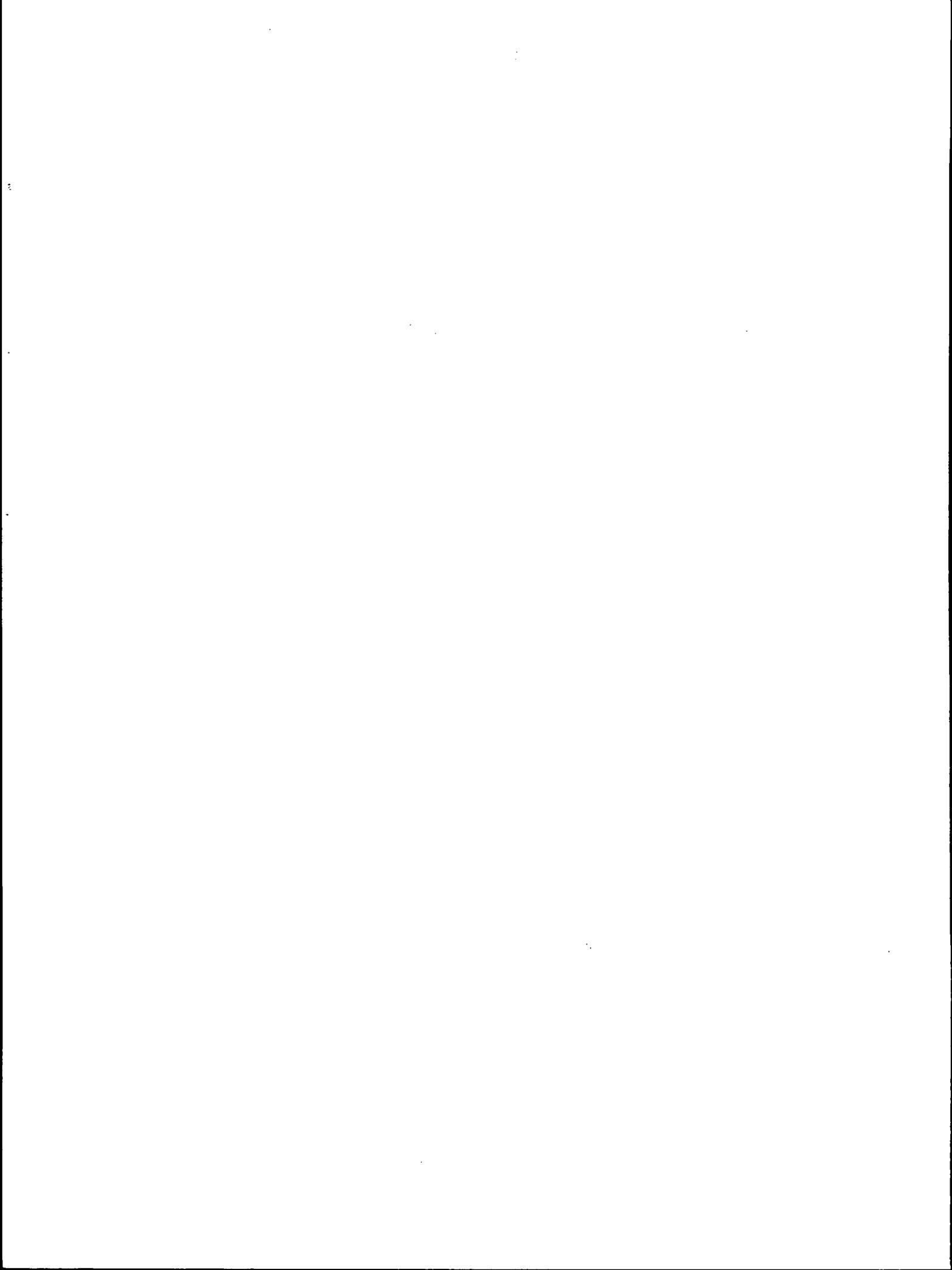
Although the intent of the bill is to address a growing social issue, the effect of the measure goes far beyond providing a self-identification alternative. The statistical data State agencies gather concerning the racial demographics of the State is reported to numerous federal agencies. Pursuant to the Office of Management and Budget (OMB) Statistical Policy Directive No. 15, "Race and Ethnic Standards for Federal and Administrative Reporting," the federal government recognizes only five racial identification categories: American Indian or Alaska Native, Asian or Pacific Islander, black, white, and Hispanic. Currently, the Office of Management and Budget and the United States Census Bureau are researching possible changes in racial identification categories at the federal level. For Maryland to add a "multiracial" category at this time would prevent the federal government from accounting for those individuals who choose to identify themselves as multiracial.

Until the federal government has adjusted its racial identification categories in a manner that is capable of accounting for all of Maryland's citizens, it would be inadvisable to make a unilateral change in those categories. Such a change could have negative consequences with regard to federally-funded programs that are partially based on numbers of individuals who fall within classifications considered to be historically disadvantaged.

For these reasons, I have vetoed House Bill 215.

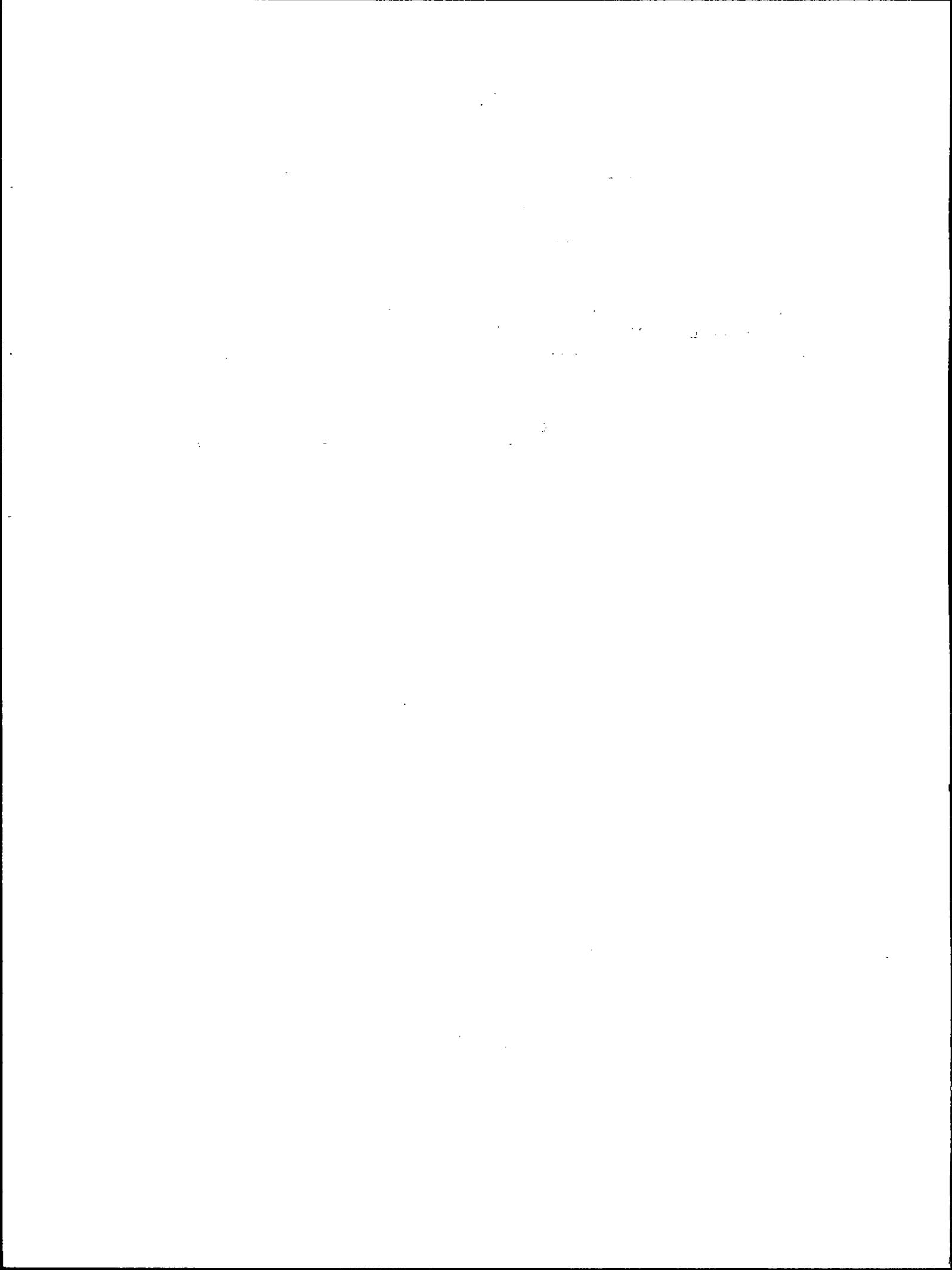
Sincerely,

Parris N. Glendening  
Governor



# Appendix C

House Bill 1080



HOUSE BILL 1080

P1

61r2540

By: Delegates Healey, Crumlin, Hubbard, Howard, Pitkin, Hixson, Patterson, and Conroy

Introduced and read first time: February 7, 1996

Assigned to: Commerce and Government Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 15, 1996

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 Task Force on Multiracial Designations

3 FOR the purpose of establishing a Task Force on Multiracial Designations; providing for  
4 the composition, chairman, reimbursement, and staffing of the Task Force;  
5 requiring the Task Force to study issues concerning the possible addition of a  
6 multiracial category on State forms that seek racial identification information;  
7 authorizing the Task Force to exercise certain powers; requiring the Task Force to  
8 make a certain report on or before a certain date; providing for the termination of  
9 this Act after a certain date; and generally relating to a Task Force on Multiracial  
10 Designations.

11 BY adding to

12 Article 41 - Governor - Executive and Administrative Departments  
13 Section 18-310  
14 Annotated Code of Maryland  
15 (1993 Replacement Volume and 1995 Supplement)

16 Preamble

17 WHEREAS, In 1995 the Governor vetoed legislation (House Bill 215) which was  
18 passed by the General Assembly and would have required that, in the preparation of a  
19 form requiring the identification of race, departments and other units of the State  
20 government must include the term "multiracial" as a choice of race; and

21 WHEREAS, It is necessary to address the needs of children in multiracial families,  
22 who are effectively forced by the State to prefer one parent over the other when  
23 completing forms prepared by the State; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

Strike-out indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 WHEREAS, As is true elsewhere in the United States, the demographics in  
2 Maryland are rapidly changing and the number of racially mixed families is increasing;  
3 and

4 WHEREAS, The establishment of a multiracial category on State forms would  
5 accord children the freedom to choose a self-identity that does not deny a part of who  
6 they are; now, therefore,

7 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
8 MARYLAND, That the Laws of Maryland read as follows:

9 Article 41 - Governor - Executive and Administrative Departments

10 18-310.

11 (A) THERE IS A TASK FORCE ON MULTIRACIAL DESIGNATIONS.

12 (B) (1) THE TASK FORCE SHALL BE COMPOSED OF 13 MEMBERS APPOINTED AS  
13 FOLLOWS:

14 (I) TWO MEMBERS OF THE SENATE OF MARYLAND APPOINTED BY  
15 THE PRESIDENT OF THE SENATE;

16 (II) TWO MEMBERS OF THE HOUSE OF DELEGATES APPOINTED BY  
17 THE SPEAKER OF THE HOUSE; AND

18 (III) NINE MEMBERS APPOINTED BY THE GOVERNOR.

19 (2) OF THE NINE MEMBERS APPOINTED BY THE GOVERNOR:

20 (I) TWO SHALL BE REPRESENTATIVES OF THE DEPARTMENT OF  
21 EDUCATION, ONE OF WHOM SHALL BE AN EXPERT IN THE FIELD OF ENGLISH AS A  
22 SECOND LANGUAGE (ESOL);

23 (II) ONE SHALL BE A REPRESENTATIVE OF THE DEPARTMENT OF  
24 GENERAL SERVICES WHO IS KNOWLEDGEABLE CONCERNING STATE FORMS;

25 (III) ONE SHALL BE THE DIRECTOR OF THE OFFICE OF MINORITY  
26 AFFAIRS;

27 (IV) ONE SHALL BE A PRINCIPAL IN A SCHOOL WITH A DIVERSE  
28 STUDENT POPULATION;

29 (V) ONE SHALL BE A DEMOGRAPHER;

30 (VI) ONE SHALL BE A GENEALOGIST;

31 (VII) ONE SHALL BE THE NATURAL PARENT OF A MULTIRACIAL  
32 CHILD; AND

33 (VIII) ONE SHALL BE THE ADOPTIVE PARENT OF A MULTIRACIAL  
34 CHILD.

35 (C) THE GOVERNOR SHALL DESIGNATE THE CHAIRMAN OF THE TASK FORCE.

36 (D) SEVEN MEMBERS OF THE TASK FORCE SHALL CONSTITUTE A QUORUM.

1 (E) THE TASK FORCE SHALL DETERMINE THE TIMES AND PLACES OF ITS  
2 MEETINGS.

3 (F) THE EXECUTIVE BRANCH SHALL PROVIDE STAFF FOR THE TASK FORCE.

4 (G) A MEMBER OF THE TASK FORCE:

5 (1) MAY NOT RECEIVE COMPENSATION; BUT

6 (2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE  
7 STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

8 (H) THE TASK FORCE SHALL STUDY ISSUES CONCERNING THE POSSIBLE  
9 ADDITION OF A MULTIRACIAL CATEGORY ON STATE FORMS THAT SEEK RACIAL  
10 IDENTIFICATION INFORMATION.

11 (I) THE TASK FORCE MAY:

12 (1) CONSULT WITH OUTSIDE EXPERTS CONCERNING THE POSSIBLE  
13 ADDITION OF A MULTIRACIAL CATEGORY ON GOVERNMENTAL FORMS;

14 (2) RECEIVE ANY TESTIMONY THAT THE TASK FORCE CONSIDERS  
15 APPROPRIATE; AND

16 (3) DEVELOP ANY RECOMMENDATIONS THAT IT CONSIDERS  
17 APPROPRIATE FOR CHANGES IN STATUTES, REGULATIONS, OR PROCEDURES.

18 (J) THE TASK FORCE SHALL REPORT ITS FINDINGS AND RECOMMENDATIONS  
19 TO THE GOVERNOR AND, SUBJECT TO § 2-1312 OF THE STATE GOVERNMENT  
20 ARTICLE, TO THE GENERAL ASSEMBLY ON OR BEFORE DECEMBER 1, 1997.

21 (K) THIS SECTION SHALL TERMINATE AND BE OF NO EFFECT AFTER  
22 DECEMBER 1, 1997.

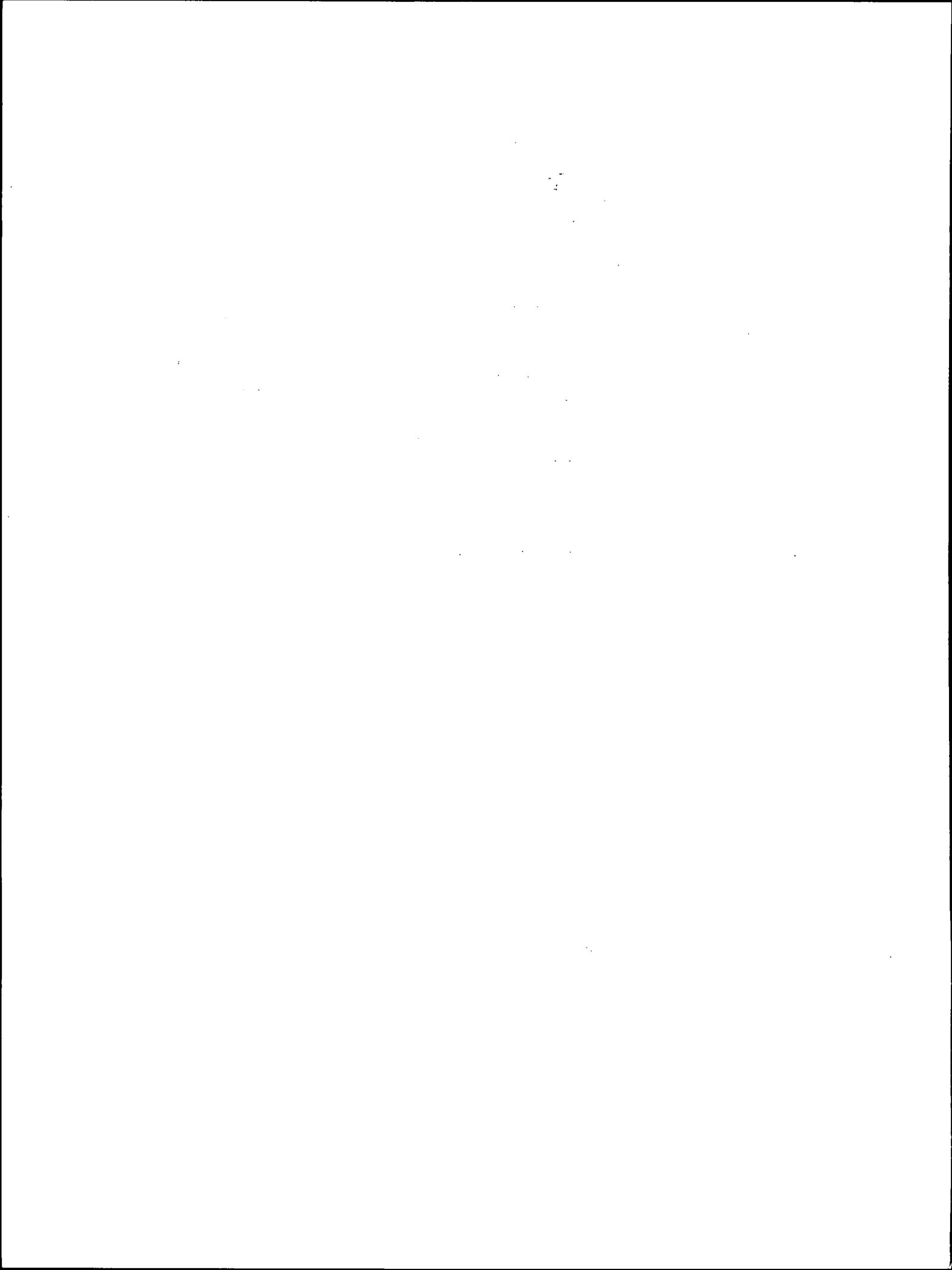
23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 July 1, 1996.

Approved:

\_\_\_\_\_  
Governor.

\_\_\_\_\_  
Speaker of the House of Delegates.

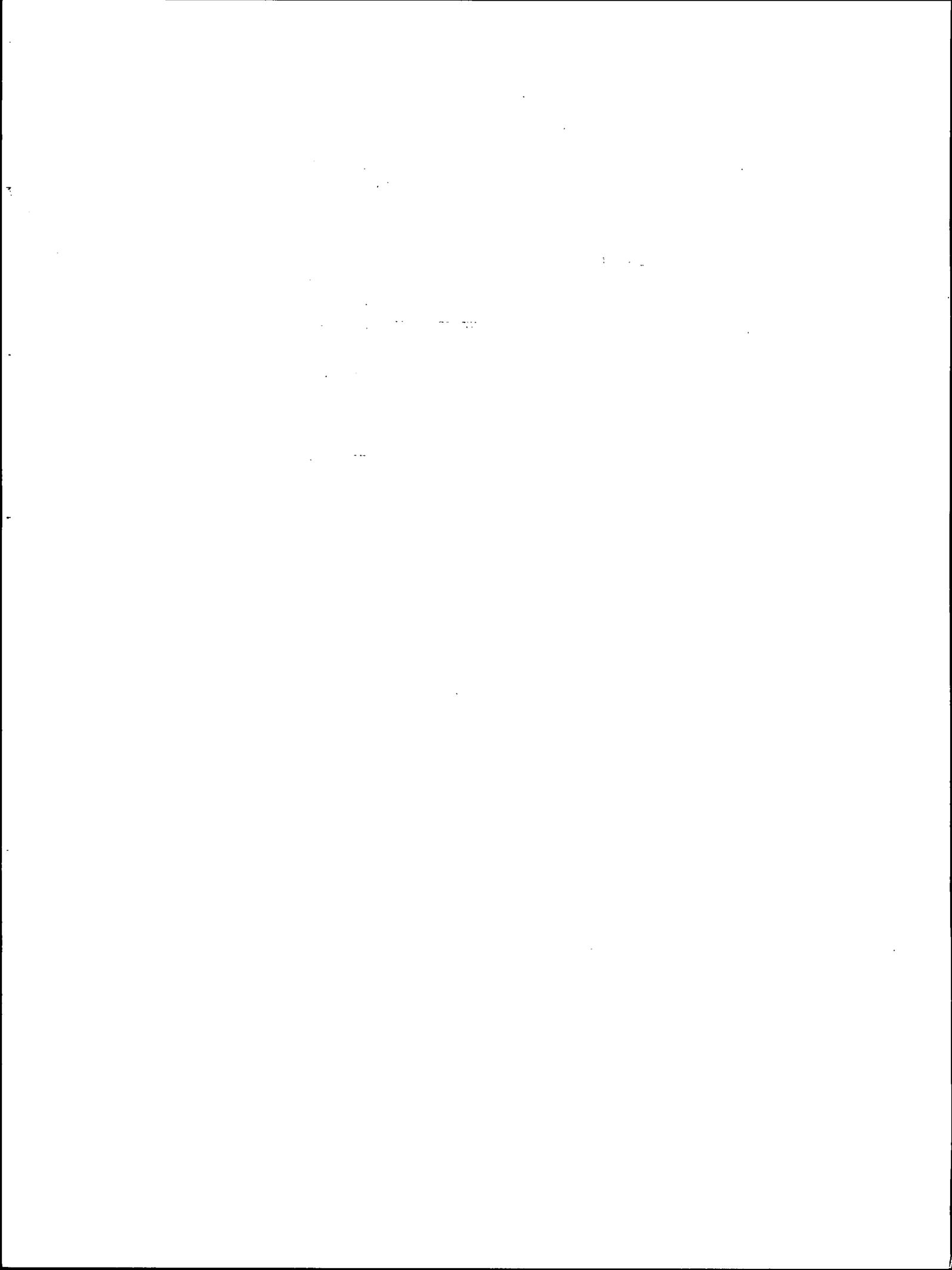
\_\_\_\_\_  
President of the Senate.



# Appendix D

Minutes

Task Force on Multiracial Designations



# Task Force on Multiracial Designations

## Minutes of Meeting February 11, 1997

### Attendees:

Ms. Jill A. Basye  
J. Joseph Dalton, Ph.D.  
Mr. Richard E. Herring  
Isabelle Horon, Dr.P.H.  
Ms. Luwanda W. Jenkins  
Dr. Ricka Keeney Markowitz  
William P. O'Hare, Ph.D.

- The meeting was called to order at 10:15 a.m. at the Maryland Department of Health and Mental Hygiene, 201 West Preston St., Baltimore, MD. Seven members were in attendance.
- Isabelle Horon presented an overview of House Bill 1080, which established the Task Force on Multiracial Designations. She also described events occurring at the national level that may result in changes to Statistical Policy Directive No. 15, which was established in 1977 to set guidelines for racial and ethnic standards on federal forms. The Office of Management and Budget (OMB) is scheduled to propose possible changes in Spring, 1997.
- The recommendation was made to try to delay the Task Force's decision-making process until the OMB report is released. Since many State agencies provide data to the federal government the State racial and ethnic categories must correspond to federal standards. After reviewing the federal standards the Task Force will consider whether Maryland's standards should be more specific. Dr. O'Hare will contact Kathy Wallman, Chief of the Statistical Policy Branch of the OMB to find out about the time line for release of the report. If the report will be released during the next few months the Task Force will wait to make any decisions. If the report is delayed, the Task Force may have to develop its own recommendations to comply with the House Bill 1080 which states that the Task Force must report findings and recommendations on or before December 1, 1997.
- The fiscal implications of making changes to state and local forms that collect racial and/or ethnic information were discussed. The suggestion was made to ask Delegate Healy whether her office might have fiscal notes associated with House Bill 1080 legislation. Members made the following observations regarding fiscal implications:
  - The timing of implementation will influence the costs involved. Costs will be greater if changes are made immediately rather than phased in over time.
  - There is a fiscal advantage to waiting until the year 2000 to phase in changes.

- There are costs involved in changing local forms as well as state forms. Ricka Markowitz will call a local group of educators together to try to determine the local impact of changing forms among that group.
- There are fiscal implications involved with recommending racial/ethnic categories that are not identical to OMB standards.
- an inventory should be made of state forms to determine the how many must be changed.
- The need to hold public hearings was discussed. The recommendation was made to involve key audiences (education, health, Committee of Asian Affairs, Committee on Hispanic Affairs, etc.). Luwanda Jenkins will let minority groups know about the likelihood of changes being made to state forms.
  - Task Force members who are not state employees may receive reimbursement for travel expenses. Please submit expenses to Isabelle Horon.
  - The Task Force decided to delay scheduling the next meeting until we gather further information regarding the release of the OMB report. Members with specific assignments will report to Isabelle Horon who will share the information with the group.
  - The meeting was adjourned at 11:30 a.m.

# Task Force on Multiracial Designations

## Minutes of Meeting

May 7, 1997

### Attendees:

Ms. Jill A. Basye  
Mr. Richard Eugene Herring  
Ms. Phebe R. Jacobsen  
Ms. Shegoftah N. Queen  
The Honorable Anne Healey  
The Honorable Obie Patterson  
Ms. Luwanda W. Jenkins  
Isabelle L. Horon, Dr.P.H.

### Absentees:

Dr. Ricka Keeney Markowitz  
J. Joseph Dalton, Ph.D.  
William P. O'Hare, Ph.D.  
The Honorable Paula C. Hollinger  
The Honorable Michael J. Collins

- The meeting was called to order at 10:10 a.m. in the Prince George's Delegation Room of the Thomas Hunter Lower House of Delegates Building in Annapolis, MD.
- Minutes of the February 11, 1997 meeting were reviewed. There were no additions or corrections.
- Isabelle Horon reported that preliminary OMB recommendations for reporting racial and ethnic information on federal forms, which were due to be released in April 1997, have been delayed until June 1997. Final recommendations will be issued in September 1997.
- Federal legislation for a multiracial and multiethnic classification was introduced in the House of Representatives on February 25, 1997. Thomas E. Petri (R-Wisconsin) is the main sponsor of the bill.
- The House Subcommittee on Government Management, Information and Technology held the first in a series of hearings on the federal categories for race and ethnicity on April 23, 1997.
- Delegate Healey reviewed the Fiscal Note for House Bill 215, which would have required that state agencies include 'multiracial' on forms that asked for racial or ethnic identification. The Fiscal Note stated that expenditures would increase by only a small amount as a result of this change. Isabelle Horon said that this would not be the case in her office since such a change would involve rewriting of software, installation of software in hospitals throughout the state and training of staff to use the new categories. She stated that other state and local agencies would also be likely to have significant expenditures associated with changes. Luwanda Jenkins stated that there were two

aspects to the fiscal implications of changing racial classification, first, the practical aspects of updating forms, and second, the impact on state programs that are federally-funded based on the racial or ethnic composition of the population. Ms. Jenkins recommended that we poll agencies to determine who receives money based on the population composition. Delegate Healey suggested we gather information on the fiscal impact adding a multiracial category to forms in other states. Isabelle Horon will prepare a paragraph describing the information we are interested in obtaining and Delegate Healey will see if legislative reference can collect the information for us.

- Delegate Healey showed a clip from the TV show '48 Hours' that described that process by which a multiracial category was added to state forms in Georgia.
- The decision was made to hold public hearings in September. Isabelle Horon will use birth certificate data to identify areas of the state in which there are a significant number of multiracial births. Public hearings will be targeted to those areas. Advertisement of the hearings will be done through the summer. Delegate Healey suggested we write an op-ed piece for newspapers and radio stations. Other suggestions for advertising include contacting interested groups (Project Race, adoption groups, PTAs) and putting signs up at ethnic festivals. The Rainbow Directory was recommended as a good source of information about groups that may be interested.
- Isabelle Horon presented information on multiracial births in Maryland. Seven percent of births in Maryland in 1995 were to parents of differing races, compared to less than one percent of births in 1970.
- Future Task Force meetings will be held on the first Wednesday of each month. The next meeting will be June 4, 1997 at 10 a.m. at the House of Delegates meeting in Annapolis. Luwanda Jenkins will arrange parking for members.
- The meeting was adjourned at 11:40 a.m..

# Task Force on Multiracial Designations

## Minutes of Meeting June 4, 1997

### Present:

Ms. Jill A. Basye  
J. Joseph Dalton, Ph.D.  
The Honorable Anne Healey  
The Honorable Paula C. Hollinger  
Isabelle L. Horon, Dr.P.H.  
Ms. Phebe R. Jacobsen  
Ms. Luwanda W. Jenkins  
Dr. Ricka Keeney Markowitz  
William P. O'Hare, Ph.D.  
The Honorable Obie Patterson  
Ms. Shegoftah N. Queen

### Absent:

The Honorable Michael J. Collins  
Mr. Richard Eugene Herring

- The meeting was called to order at 10:00 a.m. in the Prince George's Delegation Room of the Thomas Hunter Lowe House of Delegates Building in Annapolis, MD.
- Minutes of the May 7, 1997 meeting were reviewed. There were no additions or corrections.
- The announcement of preliminary OMB recommendations for reporting racial and ethnic information on federal forms has been delayed until July 1997. Final recommendations will be issued 90 days after preliminary recommendations are announced.
- Results of the 1996 Race and Ethnic Targeted Test were released by the Census Bureau on May 15, 1997.
- The House Subcommittee on Government Management, Information and Technology held the second in a series of hearings on the federal categories for race and ethnicity on May 27, 1997.
- Delegate Healey reported on her attempt to obtain information from the Department of Legislative Reference on the fiscal impact of adding a multiracial category to state forms in other states. Legislative Reference was not successful in collecting much information since most states do not keep records on fiscal notes. Delegate Healey asked the researcher to try to contact selected agencies (education, health, human resources) in

states with multiracial legislation to try to collect additional fiscal information.

- Isabelle Horon presented data on the number and percentage of multiracial births by county in Maryland. This information will be used to determine where public hearing should be held.
- The suggestion was made to hold public hearings in the following five regions of the state: Northwest Area, Baltimore Metro Area, National Capital Area, Southern Area and Eastern Shore Area. We will wait to gauge the response to advertisements announcing the hearings before making a final determination.
- We will plan to hold public hearings at high schools. Ricka Markowitz will develop a listing of high schools that are in easily accessible areas.
- Schools, parents and PTAs must be alerted about the hearings. Therefore, we will delay hearings until late September and early October so that flyers announcing the meetings can be sent home with students when school opens in September.
- Discussion was held regarding who should serve as panel members to hear testimony at the hearings. Recommendations included task force members and state employees who work in departments that would be affected by potential legislation.
- Discussion was held regarding who should testify at the hearings--representatives of specific groups (i.e., PTAs) or everyone who is interested.
- Phebe Jacobsen suggested that the hearings should also be a forum to educate people about how race data are used by state agencies. This could be done by distributing a handout.
- We need to develop a press release. Isabelle Horon will do this in conjunction with the Office of Communications at DHMH.
- Isabelle Horon, Luwanda Jenkins and Anne Healey will meet before the next Task Force meeting to draft a plan for the public hearings.
- Isabelle Horon will find out the deadlines for advertising public hearings in the Maryland Register.
- The next Task Force meetings will be held on July 2, 1997 at 10:00 a.m. at the House of Delegates Building in Annapolis. Luwanda Jenkins will arrange parking for members.
- The meeting was adjourned at 11:50 a.m..

# Task Force on Multiracial Designations

## Minutes of Meeting July 2, 1997

### Present:

Ms. Jill A. Basye  
The Honorable Anne Healey  
Mr. Richard Eugene Herring  
Isabelle L. Horon, Dr.P.H.  
Ms. Phebe R. Jacobsen  
Ms. Luwanda W. Jenkins  
The Honorable Obie Patterson  
Ms. Shegoftah N. Queen

Ms. Natalie Smith (guest)

### Absent:

The Honorable Michael J. Collins  
J. Joseph Dalton, Ph.D.  
The Honorable Paula C. Hollinger  
Dr. Ricka Keeney Markowitz  
William P. O'Hare, Ph.D.

- The meeting was called to order at 10:00 a.m. in the Prince George's Delegation Room of the Thomas Hunter Lowe House of Delegates Building in Annapolis, MD.
- Minutes of the June 4, 1997 meeting were reviewed. The following corrections were made:
  - Mr. Richard Eugene Herring was present.
  - Ms. Natalie Smith (guest) was present.
- The Bottom Line show was discussed. Delegate Healey will arrange to have a VCR available at the August meeting so the Task Force can view the show.
- The announcement of preliminary OMB recommendations for reporting racial and ethnic information on federal forms has still not been made. The announcement is scheduled to be made during July 1997.
- Delegate Healey reported that she just received information about Michigan's experience in adding a multiracial category to state forms. Delegate Healey and Isabelle Horon will review the materials before the next meeting and share any relevant information with the Task Force.
- Delegate Healey, Luwanda Jenkins and Isabelle Horon reported on their June 17, 1997 meeting to discuss plans for public hearings. Hearings will take place on September 30 and October 7, 9, 14 and 15 at locations throughout the state. Luwanda Jenkins and

Isabelle Horon will contact high schools in accessible areas to secure meeting places for the hearings.

- The panel for public hearings will be made up of Task Force members only. Elected officials will be encouraged to attend the hearings.
- The idea was raised of having a system available for the public to call in with their opinions. Luwanda Jenkins will try to obtain more information on the feasibility of instituting this suggestion.
- We need to prepare a fact sheet for participants at public hearings. It is probably not a good idea to show clips from TV shows since we would have to obtain permission to do so, which might be difficult.
- We will try to arrange for two press releases to go out--one in early September with a schedule of public hearings, the other in late September/early October in local areas.
- The format of the final report will be discussed at the next meeting.
- We need to prepare a list for advertising the hearings. Isabelle Horon asked Task Force members to send her any relevant lists. Shegoftah Queen will find out whether there are any umbrella PTAs that could help with advertising. Isabelle Horon will contact Project Race for lists. We should plan to advertise in libraries and private schools.
- Luwanda Jenkins will explore whether there might be money available to pay expenses for public hearings.
- The need for security at public meetings was discussed. The Task Force decided that having uniformed police at the hearings would not be appropriate. Instead, we will let the local police know that the hearings are being held, and possibly ask local officials if they can help with security.
- Please note that the next Task Force meeting will be held on the **second** rather than the first Wednesday in August. The meeting will take place Wednesday, August 13, 1997 at 10:00 a.m. at the House of Delegates Building in Annapolis. Luwanda Jenkins will arrange parking for members.
- The meeting was adjourned at 11:55 a.m..

# Task Force on Multiracial Designations

## Minutes of Meeting August 13, 1997

### Present:

Ms. Jill A. Basye  
The Honorable Anne Healey  
Mr. Richard Eugene Herring  
Isabelle L. Horon, Dr.P.H.  
Ms. Phebe R. Jacobsen  
Ms. Luwanda W. Jenkins  
Dr. Ricka Keeney Markowitz  
William P. O'Hare, Ph.D.  
The Honorable Obie Patterson  
Todd Cioni (representing The Honorable Paula C. Hollinger)

### Absent:

The Honorable Michael J. Collins  
J. Joseph Dalton, Ph.D.  
Ms. Shegoftah N. Queen

- The meeting was called to order at 10:10 a.m. in the Prince George's Delegation Room of the Thomas Hunter Lowe House of Delegates Building in Annapolis, MD.
- Minutes of the July 2, 1997 meeting were reviewed. There were no additions or corrections.
- Dr. Horon summarized the OMB recommendations for reporting racial and ethnic information on federal forms. The OMB is recommending that a method for reporting more than one race should be adopted whereby persons may choose to identify with two or more races on a checklist. The list will not include a 'multiracial' category.
- Dr. O'Hare noted that there are some concerns with the OMB report. Included among these concerns are:
  - it is unclear how data will be tabulated or reported.
  - there are inconsistencies in the recommendations of the report involving terminology.
  - persons are permitted to mark one or more races but not more than one ethnicity.
- Portions of The Bottom Line show on multiracial designations were viewed.
- The issue of revising state and local forms if race categories are changed was discussed. Revisions would entail both changes to forms and programming changes. Ms. Jenkins will contact Richard Montgomery to determine whether he has any information on the number of state and local forms that would have to be revised.

- Dr. Horon stated that the Office of Communications at DHMH is working on a press release announcing the public hearings. The suggestion was made that the press release should include both street and e-mail addresses for sending written comments.
- The schedule for public hearings is as follows:

| <u>Date</u>        | <u>Location</u>   | <u>Staffing</u>                                      |
|--------------------|---|--|
| September 30, 1997 | South Hagerstown High School<br>1101 S. Potomac Street<br>Hagerstown, MD 21740<br>301/791-4336                            | Del. Healey<br>Dr. Markowitz<br>Ms. Basye            |
| October 7, 1997    | Montgomery Blair High School<br>313 Wayne Avenue<br>Silver Spring, Maryland 21910<br>301/650-6600                         | Del. Healey<br>Dr. Horon<br>Ms. Jenkins<br>Ms. Basye |
| October 9, 1997    | Westlake High School<br>3300 Middletown Road<br>Waldorf, Maryland 20603<br>301/645-8857                                   | Del. Healey<br>Dr. Horon<br>Ms. Jenkins              |
| October 14, 1997   | Parkside High School<br>1015 Beaglin Park Drive<br>Salisbury, Maryland 21801<br>410/546-2255                              | Del. Healey<br>Del. Patterson                        |
| October 15, 1997*  | Baltimore Polytechnic Institute<br>Senior High<br>1400 West Cold Spring Lane<br>Baltimore, Maryland 21209<br>410/396-7026 | Del. Hollinger<br>Ms. Jenkins<br>Ms. Basye           |

\*Tentative date

- Dr. Horon will prepare a fact sheet for distribution at the public hearings.
- Ms. Jenkins will make arrangements for a transcriptionist to be present at the hearings. She will also check to see whether the state police would be able to help with security since the hearings are state-sponsored functions.
- The format of the final report was discussed. The report should include background information, minutes, summary of data reviewed, findings and recommendations. Dr. Horon stated that the report must be a joint effort of task force members.
- The following is a schedule of the remaining Task Force meetings:

Friday, September 5 (**note change in date**)  
Wednesday, October 22  
Wednesday, November 5  
Wednesday, November 19

All meetings will be held at 10:00 am. in the Prince George's Delegation Room of the House of Delegates Building in Annapolis.

# Task Force on Multiracial Designations

## Minutes of Meeting September 5, 1997

### Present:

J. Joseph Dalton, Ph.D.  
The Honorable Anne Healey  
Mr. Richard Eugene Herring  
Isabelle L. Horon, Dr.P.H.  
Ms. Phebe R. Jacobsen  
Ms. Luwanda W. Jenkins  
William P. O'Hare, Ph.D.  
Todd Cioni (representing The Honorable Paula C. Hollinger)

### Absent:

Ms. Jill A. Basye  
The Honorable Michael J. Collins  
Dr. Ricka Keeney Markowitz  
The Honorable Obie Patterson  
Ms. Shegoftah N. Queen

- The meeting was called to order at 10:10 a.m. in the Prince George's Delegation Room of the Thomas Hunter Lowe House of Delegates Building in Annapolis, MD.
- Minutes of the August 13, 1997 meeting were reviewed. There were no additions or corrections.
- The Task Force reviewed the fact sheet that Dr. Horon had written for distribution at the public hearings. Dr. Horon will incorporate the recommended changes into the fact sheet.
- The Task Force reviewed the press release announcing the public hearings. Members asked Dr. Horon to see whether the fact sheet could be distributed to the media along with the press release.
- Dr. O'Hare stated that we are likely to receive questions about the costs involved in changing the way race and ethnic information is collected. The Task Force does not have a clear idea of what these costs will be.
- Mr. Herring received a box of state forms that were collected several years ago when the original legislation for adding a multiracial designation to state forms was introduced. He will review the forms and try to estimate how many would have to be changed if racial and ethnic information is collected in a different format.
- We should alert elected officials that public hearings will be taking place. Ms. Jenkins will try to get a list of elected officials for our use.
- Dr. Horon was asked to e-mail information about the public hearings to Project Race.

- Ms. Jenkins will arrange for transcriptionists to attend the public hearings.
- Ms. Jenkins reported that she is having difficulty arranging coverage from the state police at public hearings. Delegate Healey offered to call David Mitchell to ask for his assistance.
- Dr. Horon distributed a handout outlining the format of the public hearings, and a sign-in sheet for use at the hearings.
- Dr. Horon cannot attend all of the public hearings. She will send a packet of information for the hearings she cannot attend to another Task Force member.
- The schedule for public hearings is as follows:

| <u>Date</u>        | <u>Location</u>   | <u>Staffing</u>   |
|--------------------|---|---|
| September 30, 1997 | South Hagerstown High School<br>1101 S. Potomac Street<br>Hagerstown, MD 21740<br>301/766-8369      | Del. Healey<br>Dr. Markowitz<br>Ms. Basye<br>Dr. O'Hare                             |
| October 7, 1997    | Montgomery Blair High School<br>313 Wayne Avenue<br>Silver Spring, Maryland 21910<br>301/650-6600   | Del. Healey<br>Dr. Horon<br>Ms. Basye<br>Ms. Jenkins                                |
| October 9, 1997    | Westlake High School<br>3300 Middletown Road<br>Waldorf, Maryland 20603<br>301/645-8857             | Del. Healey<br>Dr. Horon<br>Ms. Jenkins   |
| October 14, 1997   | Parkside High School<br>1015 Beaglin Park Drive<br>Salisbury, Maryland 21801<br>410/546-2255        | Del. Healey<br>Del. Patterson<br>Dr. O'Hare   |
| October 15, 1997   | Western/Poly High School<br>1400 West Cold Spring Lane<br>Baltimore, Maryland 21209<br>410/396-7040 | Sen. Hollinger<br>Ms. Jenkins<br>Ms. Basye<br>Dr. O'Hare<br>Dr. Horon<br>Dr. Dalton |

- The following is a schedule of the remaining Task Force meetings:

Wednesday, October 22

Wednesday, November 5

Wednesday, November 19

All meetings will be held at 10:00 a.m.. in the Prince George's Delegation Room of the House of Delegates Building in Annapolis.

- The meeting was adjourned at 10:50 a.m.

# Task Force on Multiracial Designations

## Minutes of Meeting October 22, 1997

### Present:

Ms. Jill A. Basye  
J. Joseph Dalton, Ph.D.  
The Honorable Anne Healey  
Isabelle L. Horon, Dr.P.H.  
Ms. Phebe R. Jacobsen  
William P. O'Hare, Ph.D.  
The Honorable Obie Patterson  
Ms. Shegoftah N. Queen

### Absent:

The Honorable Michael J. Collins  
Mr. Richard Eugene Herring  
The Honorable Paula C. Hollinger  
Dr. Ricka Keeney Markowitz

- The meeting was called to order at 10:20 a.m. in the Prince George's Delegation Room of the Thomas Hunter Lowe House of Delegates Building in Annapolis, MD.
- Minutes of the September 5, 1997 meeting were reviewed. There were no additions or corrections.
- Dr. Horon announced that Ms. Jenkins has resigned from her position as Director of the Office of Minority Affairs and will no longer participate in the Task Force.
- Dr. O'Hare will contact Robert Dill, a member of the African American Advisory Group to the U.S. Census for his comments on the multiracial issue.
- The final OMB recommendations regarding the collection of racial and ethnic data on federal forms, which was supposed to be released on October 15, 1997 has been delayed by two weeks.
- Congressman Thomas Petri (R-Wisconsin) withdrew the bill he sponsored last spring that called for a multiracial designation.
- The public hearings were discussed. The turnout for the hearings was extremely disappointing, with only about a dozen people providing comment. The hearings were publicized in the media, the Maryland Register, through mailings, and through posting of flyers. Dr. Horon reported that she made multiple calls and sent correspondence to Carmela Vite, President of the PTA for the State, but Ms. Vite neglected to return any calls. We had expected that the PTAs would be helpful in publicizing the hearings but nothing was done.

- Dr. Horon reported that a total of 20 persons made either verbal or written comment in response to our request. Of these 20 persons, one recommended making no change to current forms, four recommended not collecting racial information, eight recommended adding a multiracial or biracial category, three recommended both adding a multiracial category and using a checklist of races, two recommended using a check list only, and two had other recommendations. The Task Force noted that these recommendations are not based on a random sample of the population.
- Dr. O'Hare reported that the feds are trying to determine how to tabulate check list data. There is no consensus on how this should be done.
- Delegate Healey stated that there are two issues to be considered as we develop our recommendations to the Governor and General Assembly: (1) the collection of racial and ethnic data in a way that is not offensive to the public; and (2) issues involving the tabulation of data (flexibility vs. standardization).
- Dr. O'Hare stated that the legislation that created the Task Force states that we are charged with studying issues concerning the possible addition of a 'multiracial category' on State forms, and asked whether we have any leeway in recommending making other changes. Delegate Healey, who wrote the legislation, stated that we do have leeway, and that our charge is to state the problem and make recommendations.
- The Task Force discussed the issue of costs involved in making changes on state forms. Delegate Healey stated that our charge is to make recommendations about whether changes are needed. If legislation is introduced in response to our recommendations, costs will be considered then.
- Dr. O'Hare stated that we should have clear ideas about how new racial/ethnic data will be used before we spend time and money changing these designations.
- The Project Race model for collecting racial information was reviewed. It reads as follows:

---

RACE:

Check one. If you consider yourself to be biracial or multiracial, check as many as apply:

- American Indian or Alaskan Native
  - Asian or Pacific Islander
  - Black or African-American
  - Hispanic
  - White
- 

- Delegate Patterson questioned the urgency of developing recommendations before we know what the final federal recommendations will be. Delegate Healey stated that we

could either: (1) Ask for a short extension in submitting the Task Force report; or (2) Submit recommendations based upon the information we currently have, and possibly add amendments later to legislation that is introduced as a result of these recommendations.

- Dr. O'Hare suggested that we review the proposed OMB recommendations at the next meeting. Dr. Horon will prepare a summary of these recommendations for the group.
- The following is a schedule of future Task Force meetings:

Thursday, November 6, 1997 (*note change in date*)

Wednesday, November 19, 1997

All meetings will be held at 10:00 a.m.. in the Prince George's Delegation Room of the House of Delegates Building in Annapolis.

- The meeting was adjourned at noon.

# Task Force on Multiracial Designations

## Minutes of Meeting November 6, 1997

### Present:

Ms. Jill A. Basye  
J. Joseph Dalton, Ph.D.  
The Honorable Anne Healey  
Mr. Richard Eugene Herring  
Isabelle L. Horon, Dr.P.H.  
Ms. Phebe R. Jacobsen  
Ms. Shegoftah N. Queen  
Mr. Ernie Mosby (for Luwanda Jenkins)

### Absent:

The Honorable Michael J. Collins  
The Honorable Paula C. Hollinger  
Dr. Ricka Keeney Markowitz  
William P. O'Hare, Ph.D.  
The Honorable Obie Patterson

- The meeting was called to order at 10:20 a.m. in the Prince George's Delegation Room of the Thomas Hunter Lowe House of Delegates Building in Annapolis, MD.
- Minutes of the October 22, 1997 meeting were reviewed. There were no additions or corrections.
- The final OMB standards regarding the collection of racial and ethnic data on federal forms were released on October 29, 1997. With the exception of the following changes, these standards are essentially identical to the recommendations made to the OMB in July:
  - 'Native Hawaiian or Other Pacific Islander' will be a separate racial category and not included in 'Asian and Other Pacific Islanders'. This means there will be five racial groups rather than four.
  - The term 'Hispanic' will be changed to 'Hispanic or Latino'.
- After lengthy discussions, the Task Force decided to present the following recommendations to the Governor and General Assembly:

### **Recommendation 1 – A method for reporting more than one race should be adopted.**

- 1.a. This method of reporting should take the form of the 'check list' approach adopted by the federal government
- 1.b. The following list of races should be provided to respondents:
  - American Indian or Alaska Native

- Asian
- Black or African American
- Native Hawaiian or Other Pacific Islander
- White

1.c. The instructions for completing the race question should be phrased as follows:

**Race**

Select one or more. If multiracial, check all that apply:

- American Indian or Alaskan Native
- Asian
- Black or African-American
- Native Hawaiian or Other Pacific Islander
- White

**Recommendation 2. A two-question format should be used to collect Hispanic/Latino origin and race information.**

- 2.a. The Hispanic/Latino origin question should precede the race question.
- 2.b. The race question should allow the reporting of more than one race.
- 2.c. The term 'Hispanic or Latino' will be used rather than the term 'Hispanic'.

**Recommendation 3. Observer identification of Hispanic/Latino origin and race should only occur when self-identification is not possible.**

**Recommendation 4. These standards should be effective immediately for all new and revised data collection instruments. Existing forms should conform as soon as possible, but not later than January 1, 2002. On an interim basis, more than one race can be indicated on current forms.**

**Recommendation 5. These standards should become effective no later than July 1, 1998.**

- The format of the final report was discussed. The following assignments were made for preparing sections of the report:
  - Delegate Healey -- history of multiracial legislation in Maryland; fiscal report; legislative research
  - Richard Herring -- assessment of forms to be changed

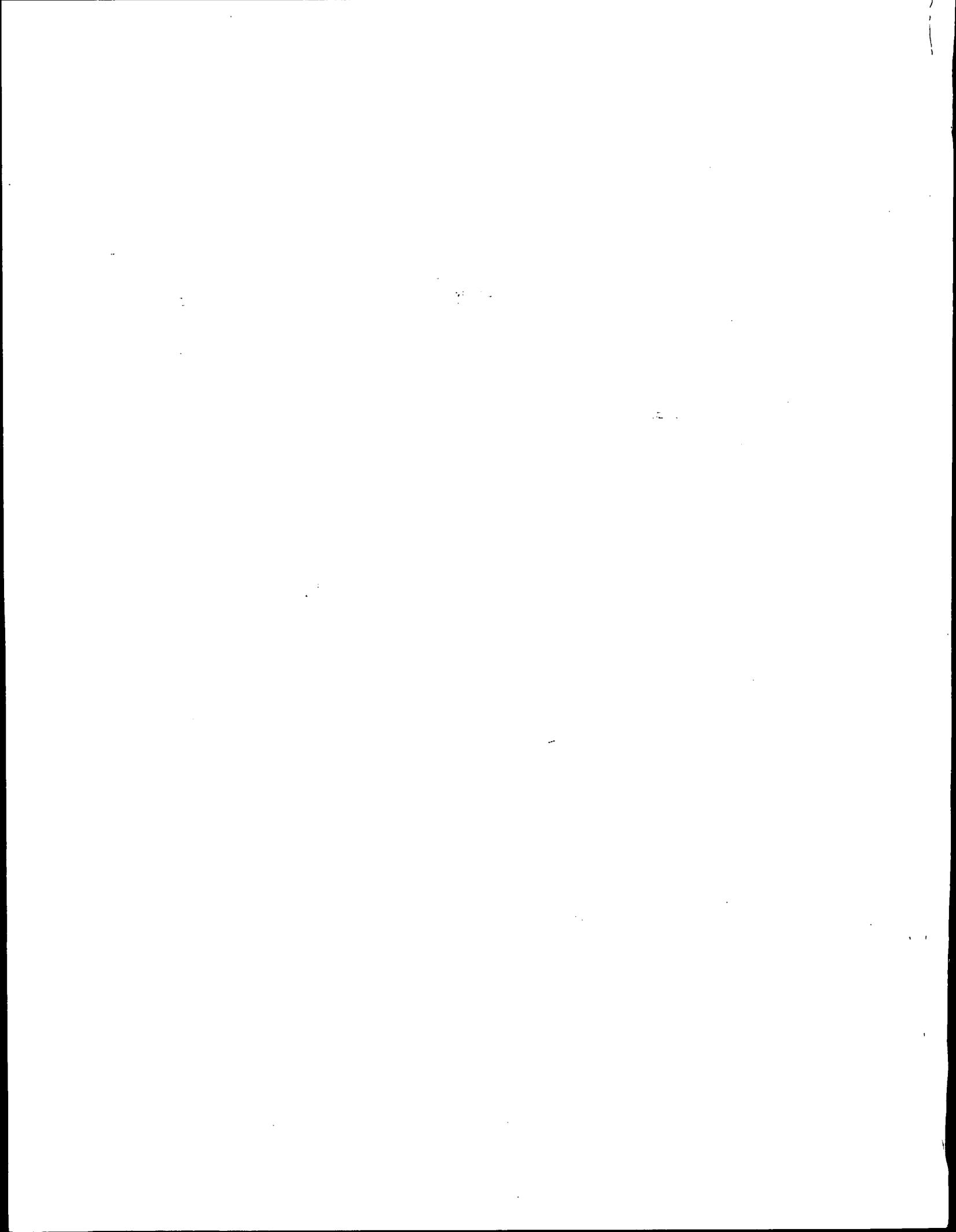
- Ricka Keeney Markowitz/Jill Basye -- impact of current methods of collecting race data on the school population
- Phebe Jacobsen -- definition of race

Isabelle Horon will prepare the remainder of the report. All sections of the report should be sent to her (preferably by e-mail) by Thursday, November 13. She will compile the report and send it to Task Force members for review prior to the November 21 meeting.

- The final meeting of the Task Force will take place *Friday, November 21, 1997 at 1:30 p.m.* in the Prince George's Delegation Room of the House of Delegates Building in Annapolis.
- The meeting was adjourned at 12:20 p.m.

# Appendix E

Births to Parents of Different Races  
Maryland, 1970-1995



# Task Force on Multiracial Designations

## Minutes of Meeting November 21, 1997

### Present:

J. Joseph Dalton, Ph.D.  
The Honorable Anne Healey  
Mr. Richard Eugene Herring  
Isabelle L. Horon, Dr.P.H.  
Ms. Phebe R. Jacobsen  
William P. O'Hare, Ph.D.  
The Honorable Obie Patterson  
Ms. Shegoftah N. Queen

### Absent:

Ms. Jill A. Basye  
The Honorable Michael J. Collins  
The Honorable Paula C. Hollinger  
Dr. Ricka Keeney Markowitz  
Mr. Ernie Mosby (for Luwanda Jenkins)

- The meeting was called to order at 1:45 P.M. in the Prince George's Delegation Room of the Thomas Hunter Lowe House of Delegates Building in Annapolis, MD.
- Minutes of the November 6, 1997 meeting were reviewed. There were no additions or corrections.
- The draft of the final report was reviewed and the following changes (*indicated in italic type*) were made:

### **Recommendation 1 -- A method for reporting more than one race should be adopted.**

- 1.a. This method of reporting should take the form of a 'check list' *whereby an individual may select all race categories that apply.*
- 1.b. The following list of races should be provided to respondents:
  - American Indian or Alaska Native
  - Asian
  - Black or African American
  - Native Hawaiian or Other Pacific Islander
  - White
- 1.c. The instructions for completing the race question should be worded as follows:

### **Race**

Select one or more. If multiracial, check all that apply:

\_\_\_\_\_ American Indian or Alaskan Native  
\_\_\_\_\_ Asian

\_\_\_\_\_ Black or African-American  
\_\_\_\_\_ Native Hawaiian or Other Pacific Islander  
\_\_\_\_\_ White

**Recommendation 2. A two-question format should be used to collect Hispanic/Latino origin and race information.**

- 2.a. The Hispanic/Latino origin question should precede the race question.
- 2.b. The race question should allow the reporting of more than one race.
- 2.c. The term 'Hispanic or Latino' will be used rather than the term 'Hispanic'.

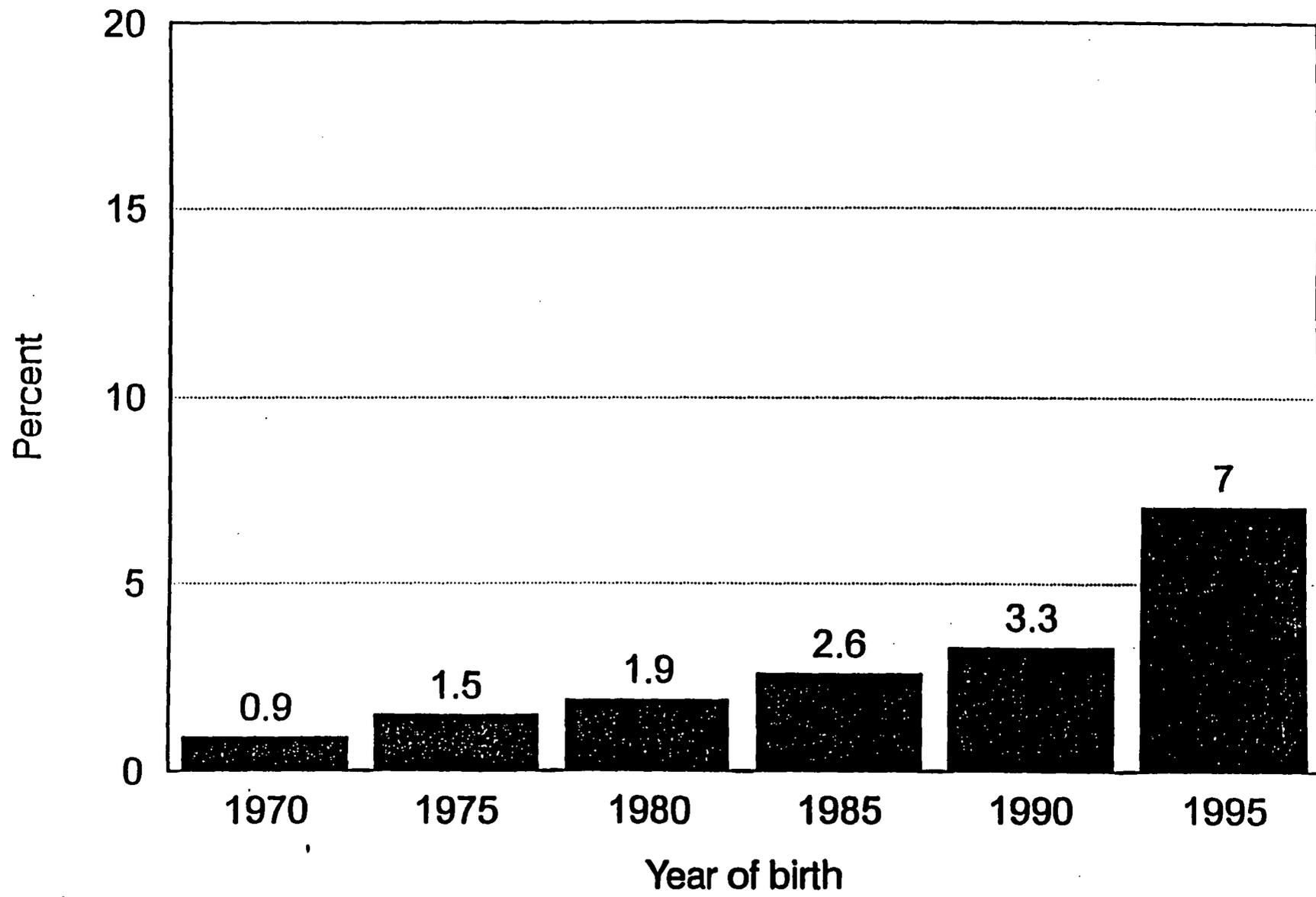
**Recommendation 3. Observer identification of Hispanic/Latino origin and race should occur *only* when self-identification is not possible.**

**Recommendation 4. These standards should be effective immediately for all new and revised data collection instruments. Existing forms should conform as soon as possible, but not later than January 1, 2002. *On an interim basis, and to the extent practical, agencies should be encouraged to permit more than one race to be collected on current forms.***

**Recommendation 5. *The effective date of any legislation arising from these recommendations should be no later than July 1, 1998.***

- Minor text changes were also made to the remainder of the final report.
- The Task Force estimated that we will need approximately 250 copies of the final report for distribution to the Governor, General Assembly and other interested parties. Dr. Horon will call the Governor's office to determine who is responsible for the costs involved in printing the reports.
- On December 1, 1997, Dr. Horon will deliver copies of the report to Governor, Speaker of the House, and President of the Senate. Copies for the General Assembly will be delayed while we determine who will pay printing costs.
- Task Force members requested that Dr. Horon arrange to have a press release prepared.
- A summary of the final report should be sent to Kathy Wallman, the federal Minority Affairs office, individuals who attended the public hearings, Carmela Vite, the Maryland Humanities Council and other interested groups.
- The meeting was adjourned at 3:10 p.m.

# Percentage of Infants With Parents of Different Races, Maryland, Selected Years, 1970-1995.



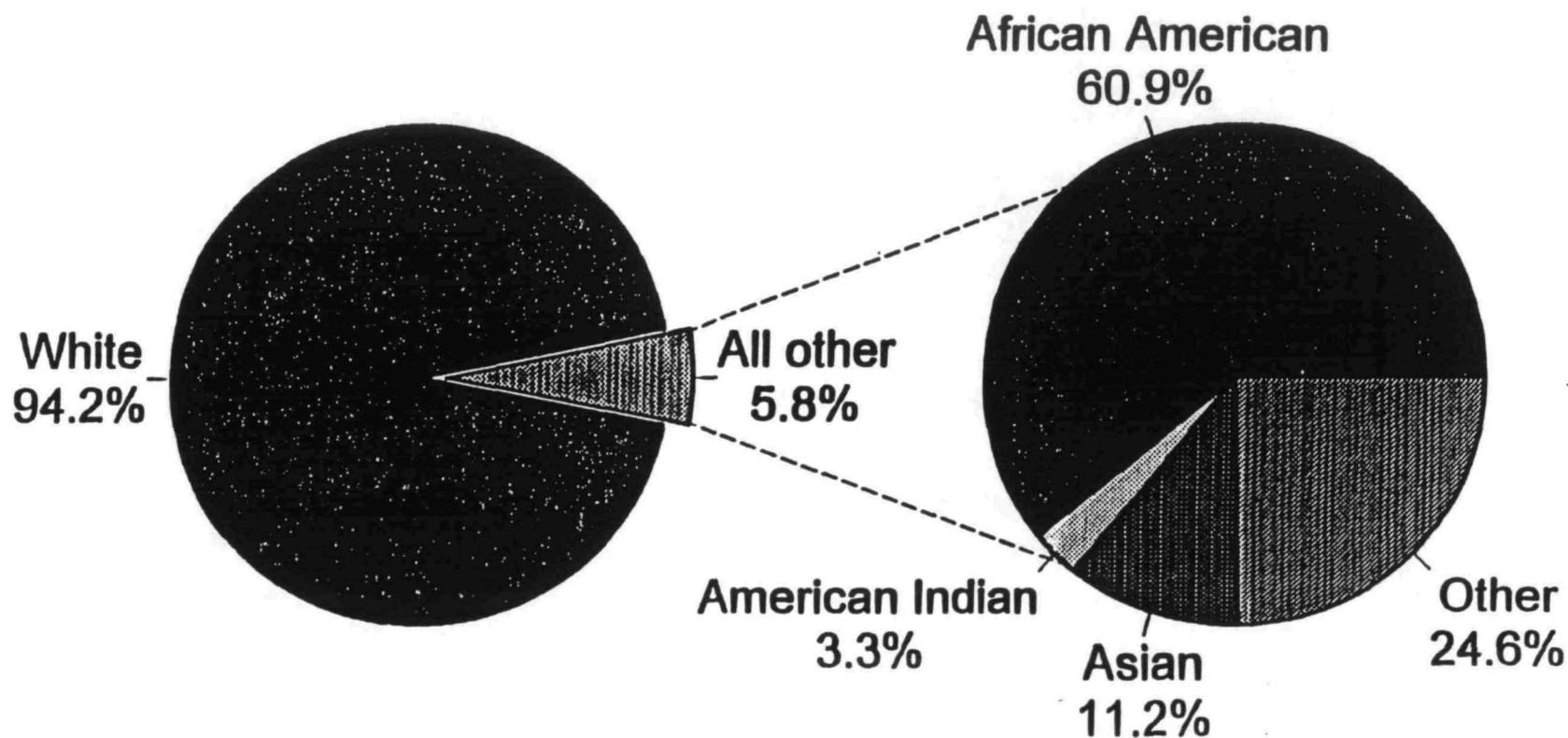
**TOTAL NUMBER OF BIRTHS, NUMBER OF BIRTHS TO PARENTS OF  
DIFFERING RACES AND PERCENT OF BIRTHS TO PARENTS OF DIFFERING  
RACES BY REGION AND POLITICAL SUBDIVISION, MARYLAND, 1995.**

| Region and<br>political<br>subdivision | Total number<br>of births | Births to parents of differing races |            |
|--|---------------------------|--------------------------------------|------------|
|  |                           | Number                               | Percent    |
| <b>Maryland</b>                        | <b>72,312</b>             | <b>4,900</b>                         | <b>6.8</b> |
| <b>Northwest Area</b>                  | <b>5,310</b>              | <b>316</b>                           | <b>6.0</b> |
| Garrett                                | 361                       | 4                                    | 1.1        |
| Allegany                               | 776                       | 48                                   | 6.2        |
| Washington                             | 1,525                     | 89                                   | 5.8        |
| Frederick                              | 2,648                     | 175                                  | 6.6        |
| <b>Baltimore Metro Area</b>            | <b>34,261</b>             | <b>1,869</b>                         | <b>5.5</b> |
| Baltimore City                         | 9,997                     | 467                                  | 4.7        |
| Baltimore County                       | 9,417                     | 512                                  | 5.4        |
| Anne Arundel                           | 6,598                     | 441                                  | 6.7        |
| Carroll                                | 1,812                     | 43                                   | 2.4        |
| Howard                                 | 3,487                     | 259                                  | 7.4        |
| Harford                                | 2,950                     | 147                                  | 5.0        |
| <b>National Capital Area</b>           | <b>24,535</b>             | <b>2,159</b>                         | <b>8.8</b> |
| Montgomery                             | 12,185                    | 991                                  | 8.1        |
| Prince George's                        | 12,350                    | 1,168                                | 9.5        |
| <b>Southern Area</b>                   | <b>3,728</b>              | <b>314</b>                           | <b>8.4</b> |
| Calvert                                | 900                       | 59                                   | 6.6        |
| Charles                                | 1,597                     | 154                                  | 9.6        |
| Saint Mary's                           | 1,231                     | 101                                  | 8.2        |
| <b>Eastern Shore Area</b>              | <b>4,478</b>              | <b>242</b>                           | <b>5.4</b> |
| Cecil                                  | 1,101                     | 39                                   | 3.5        |
| Kent                                   | 189                       | 5                                    | 2.6        |
| Queen Anne's                           | 421                       | 17                                   | 4.0        |
| Caroline                               | 358                       | 31                                   | 8.7        |
| Talbot                                 | 378                       | 24                                   | 6.3        |
| Dorchester                             | 301                       | 14                                   | 4.7        |
| Wicomico                               | 1,021                     | 63                                   | 6.2        |
| Somerset                               | 263                       | 17                                   | 6.5        |
| Worcester                              | 446                       | 32                                   | 7.2        |

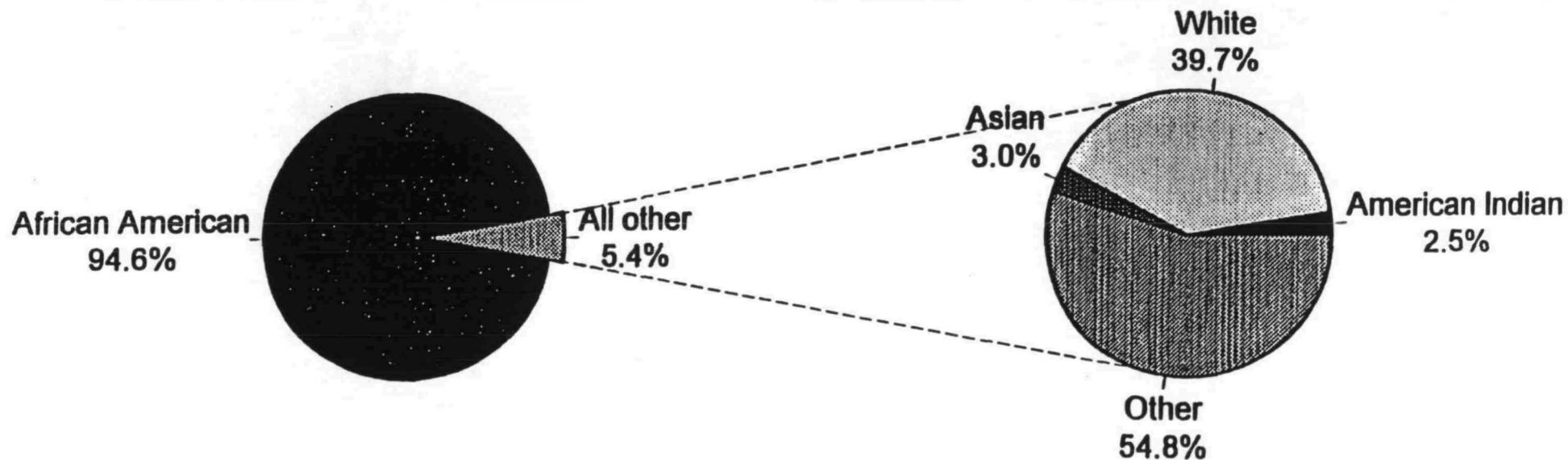
\*Per 1,000 population.



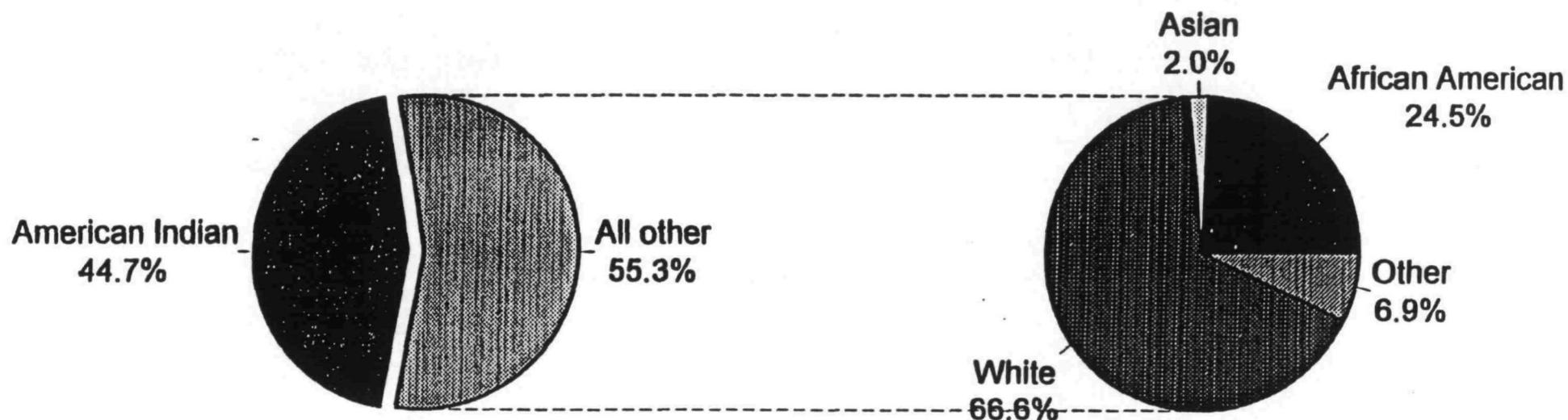
# Race of Father Among Infants Born to White Mothers, Maryland, 1995.



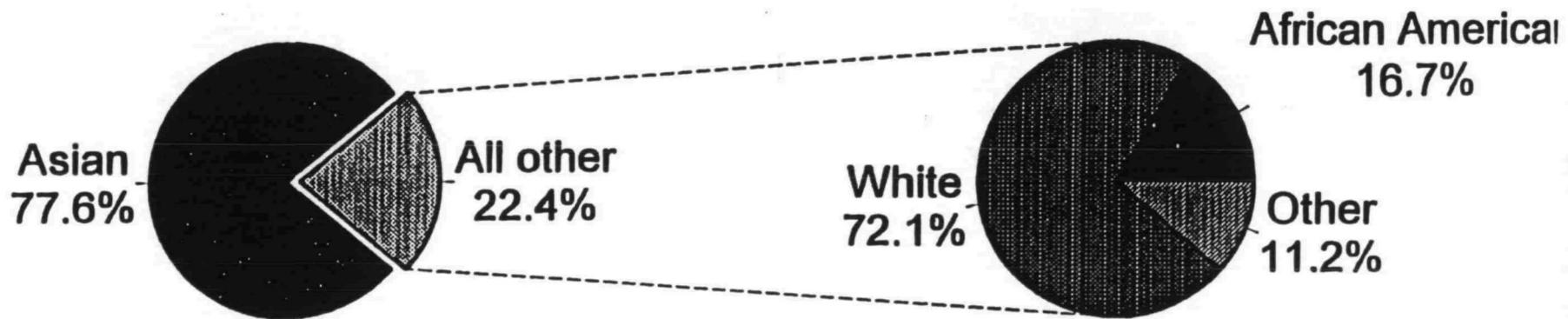
# Race of Father Among Infants Born to African American Mothers, Maryland, 1995.



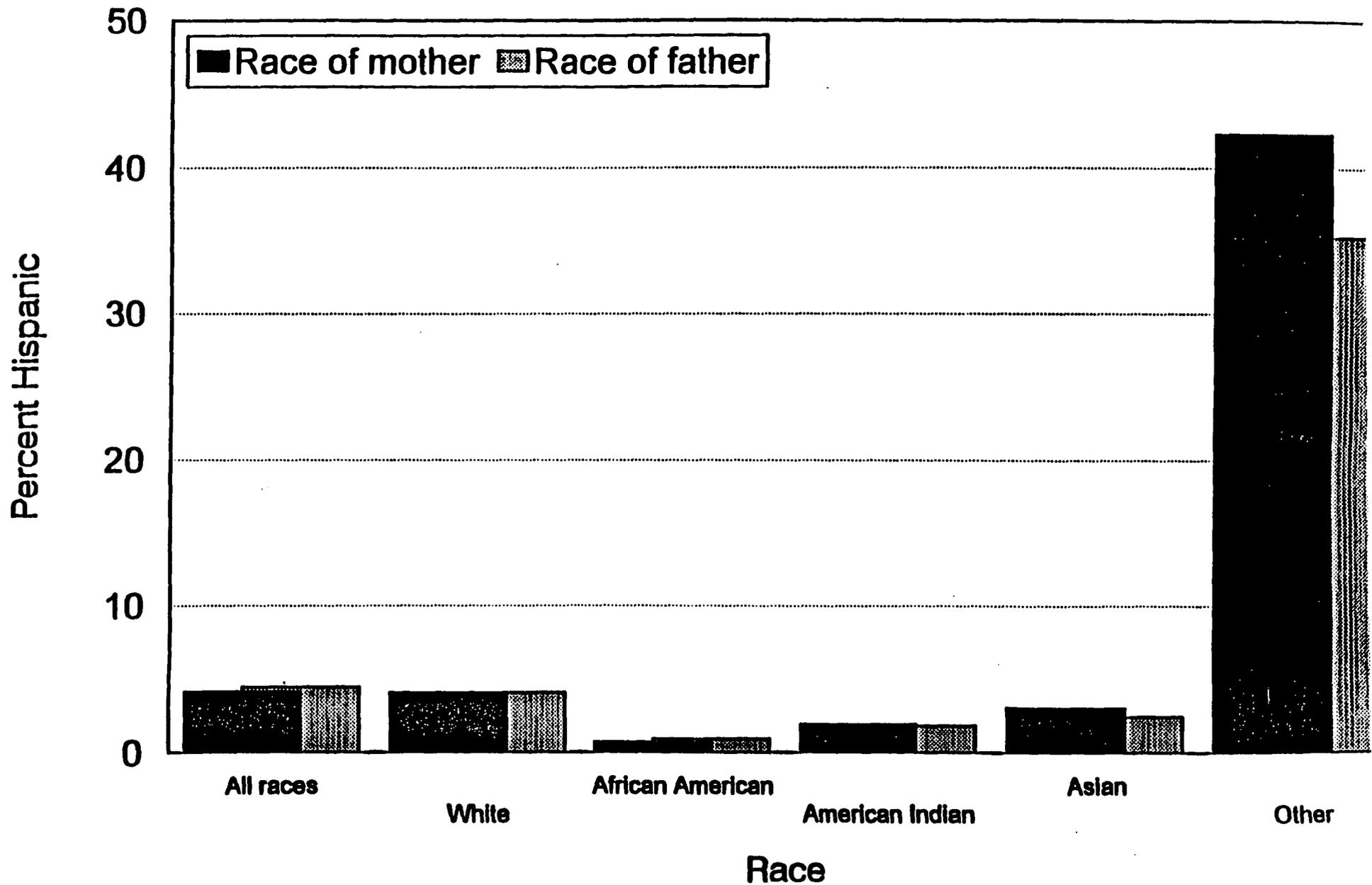
# Race of Father Among Infants Born to American Indian Mothers, Maryland, 1995.



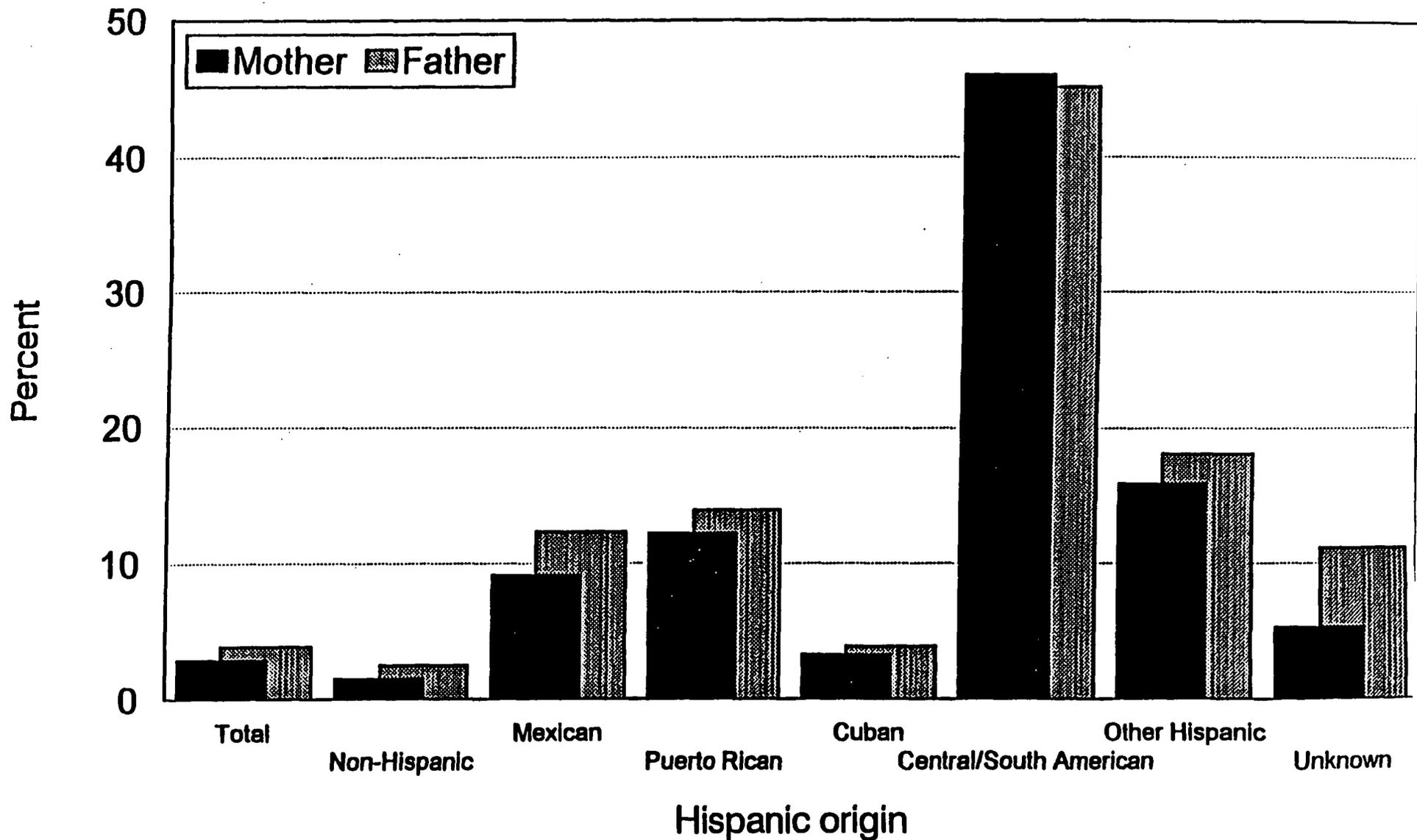
# Race of Father Among Infants Born to Asian Mothers, Maryland, 1995.

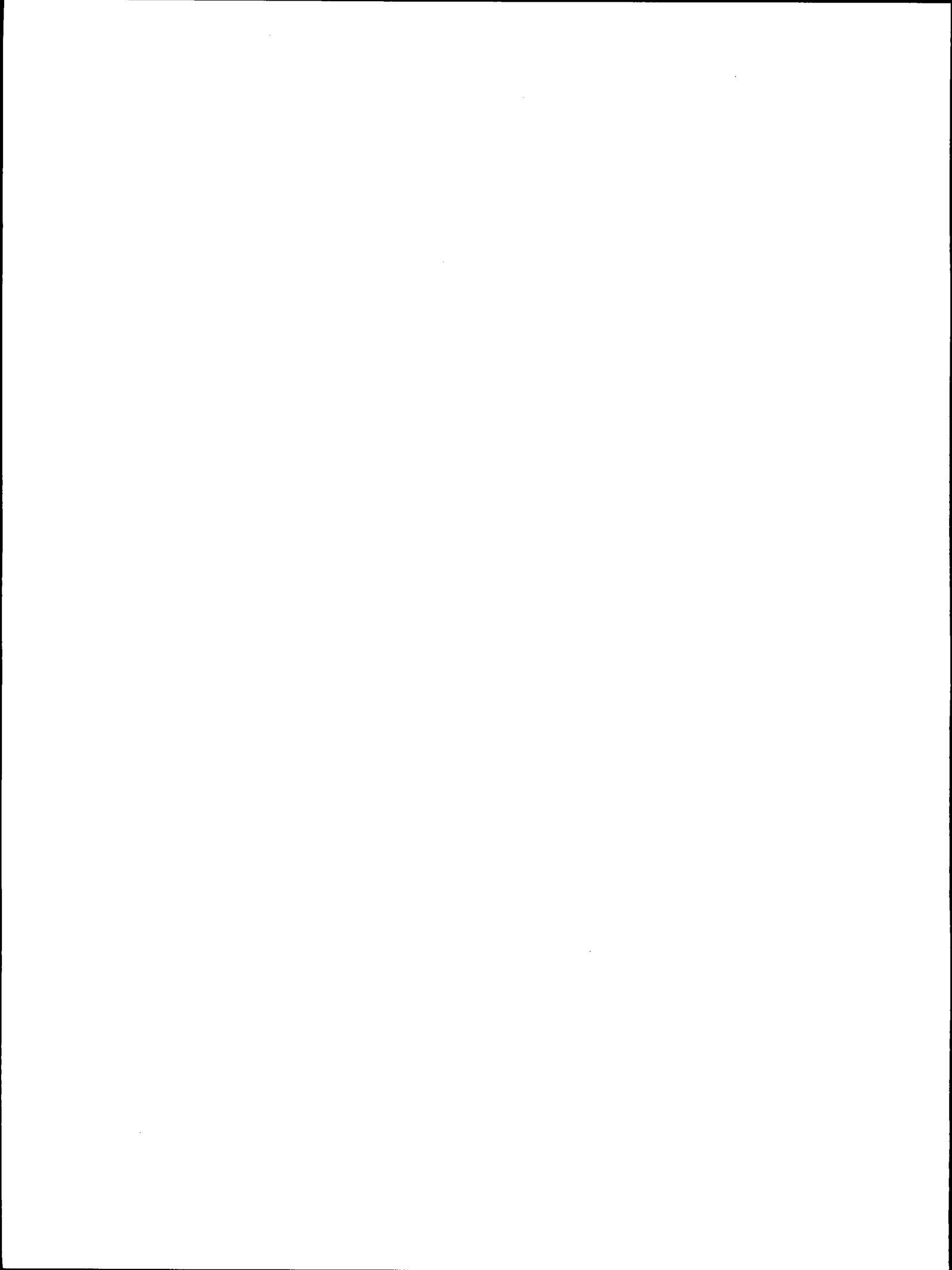


# Percentage of Mothers and Fathers of Hispanic Origin by Race, Maryland Birth Certificate Data, 1995.



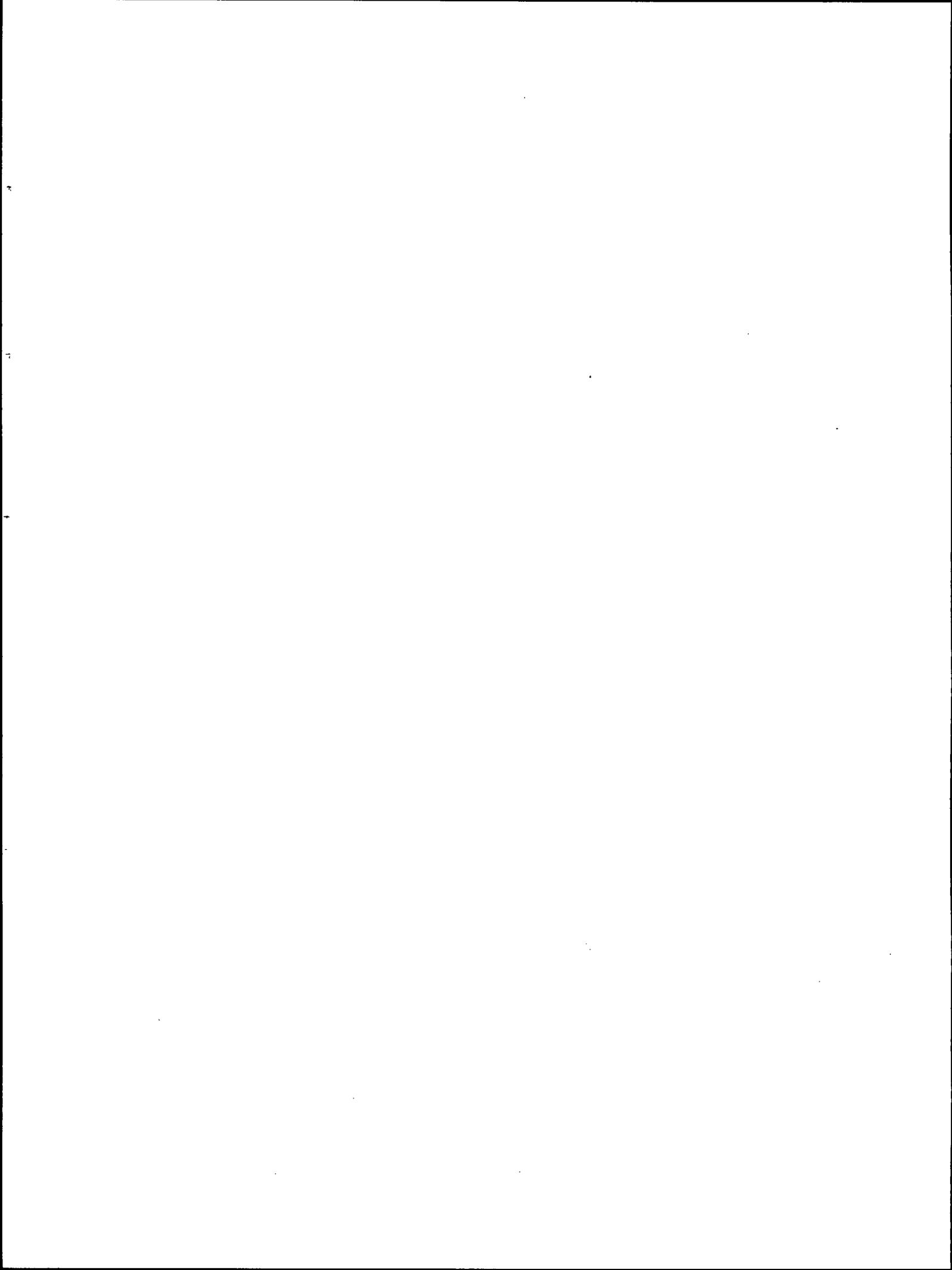
# Percentage of Mothers and Fathers With Race Listed as Unknown by Hispanic Origin, Maryland Birth Certificate Data, 1995.





# Appendix F

Fiscal Note  
House Bill 215



Maryland General Assembly  
Department of Fiscal Services

FISCAL NOTE

HB 215

House Bill 215 (Delegate Healey et al.)

Commerce and Government Matters

SPONSOR

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State Government - Forms - Use of "Multiracial" Preferred

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This bill requires state agencies that use forms requiring the identification of individuals by race to include the word "multiracial" as a choice of race.

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Fiscal Summary

State Effect: Expenditures could increase by a minimal amount as discussed below. Revenues would not be affected.

Local Effect: None.

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Bill Analysis

State Revenues: No effect.

State Expenditures: Expenditures could increase by a minimal amount depending upon the number of state agencies that use forms requiring the identification of race. Any amount would vary by state agency.

For instance, the Department of Health and Mental Hygiene (Health Professionals Boards and Commissions) estimates that expenditures could increase by \$2,500 in fiscal 1996 due to reprinting application forms and renewal application forms.

On the other hand, the Department of State Police, Department of Transportation, Division of Correction, Department of Personnel and Department of Human Resources advise that including the term "multiracial" on certain forms could be handled with existing resources.

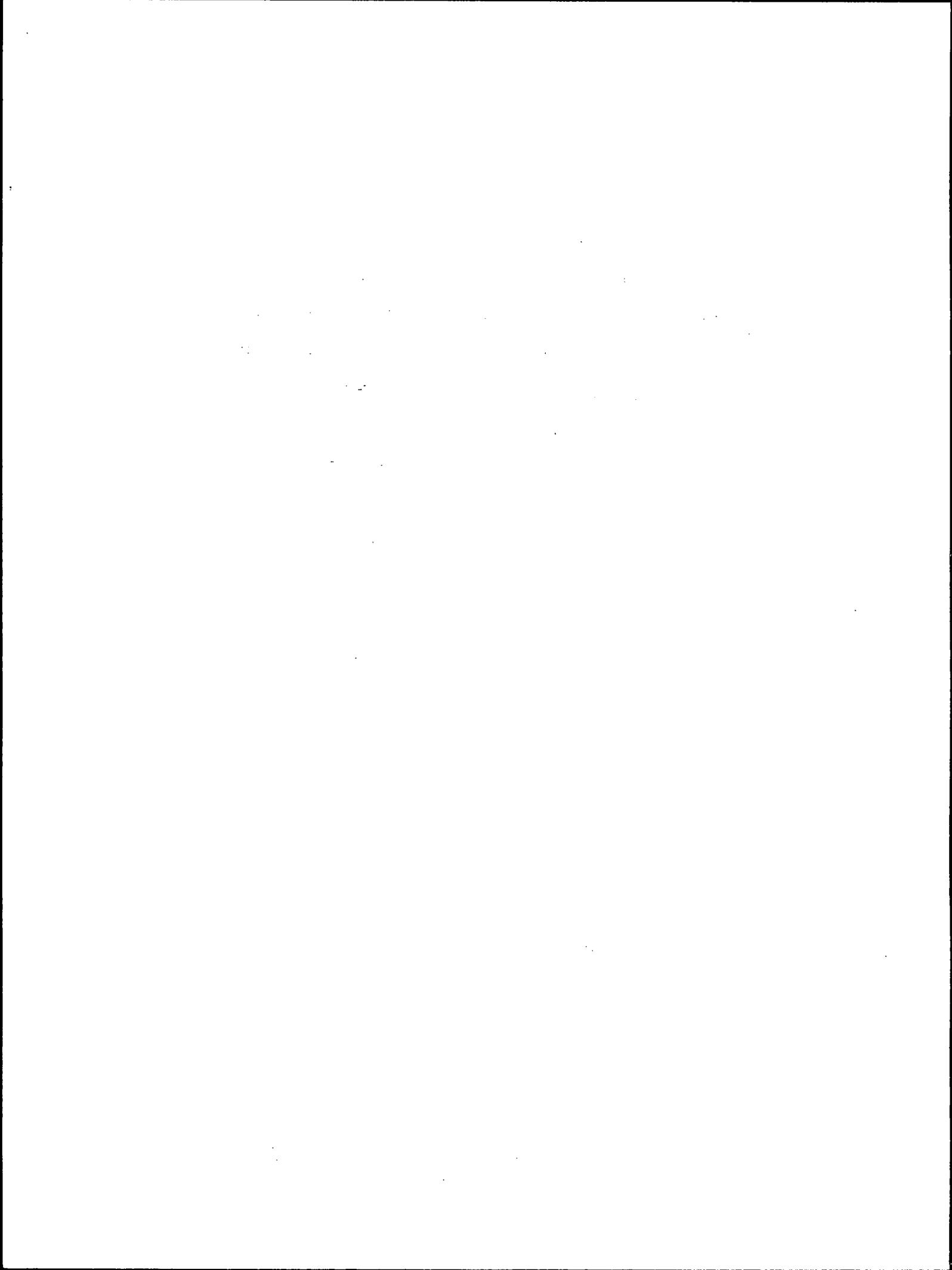
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Information Source(s): Department of Transportation, Department of Public Safety and Correctional Services (Division of Correction), Department of Human Resources, Secretary of State (Division of State Documents), Department of State Police, Department of Personnel, Department of Health and Mental Hygiene

Analysis by: <sup>TH</sup> Thomas Himler, (410) 841-3710  
Reviewed by: John Rixey  
ncs

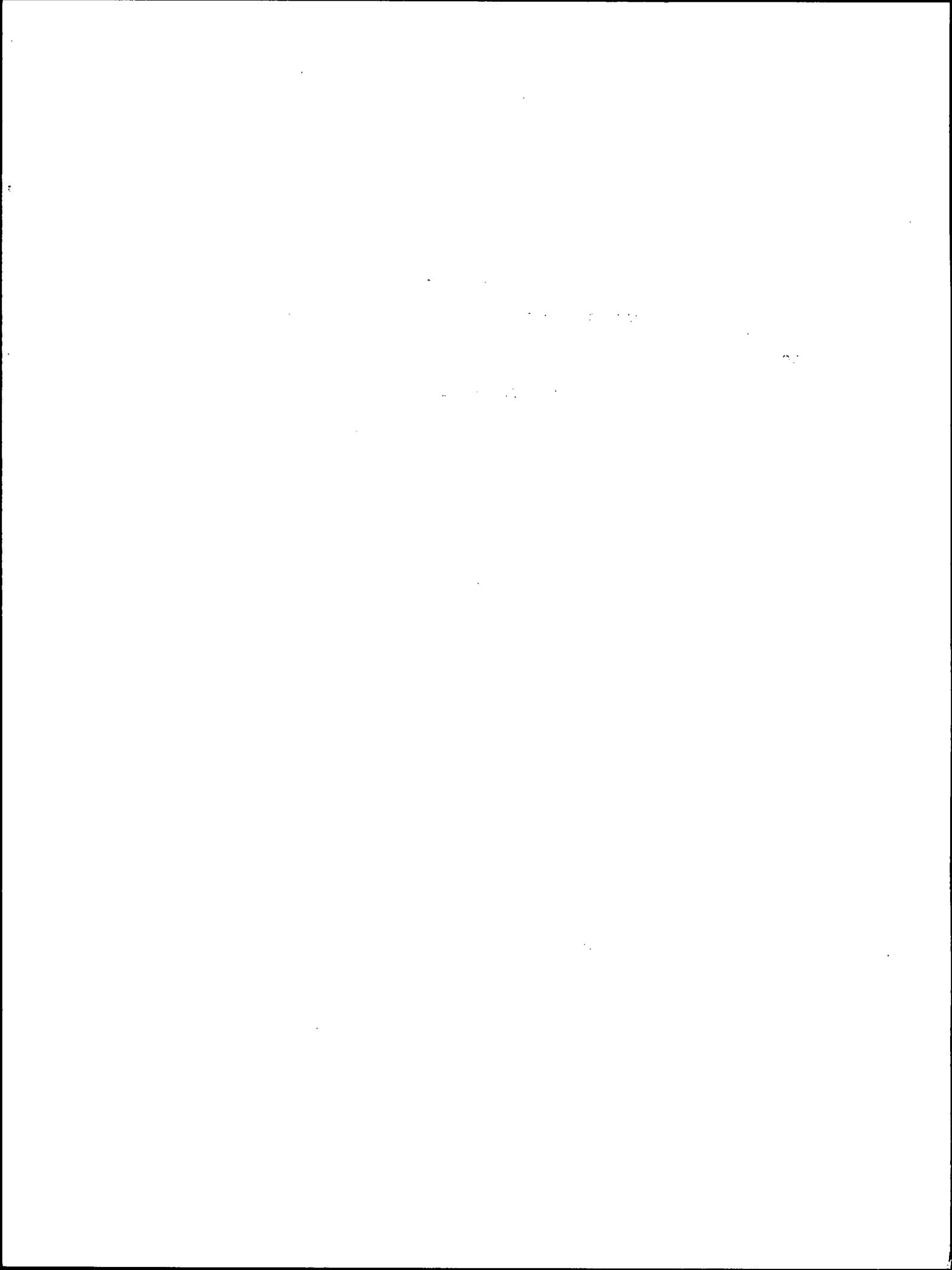
Coordinating Analyst:  
John Rixey  
(410) 841-3710 *ncs*

Fiscal Note History: First Reader - February 17, 1995

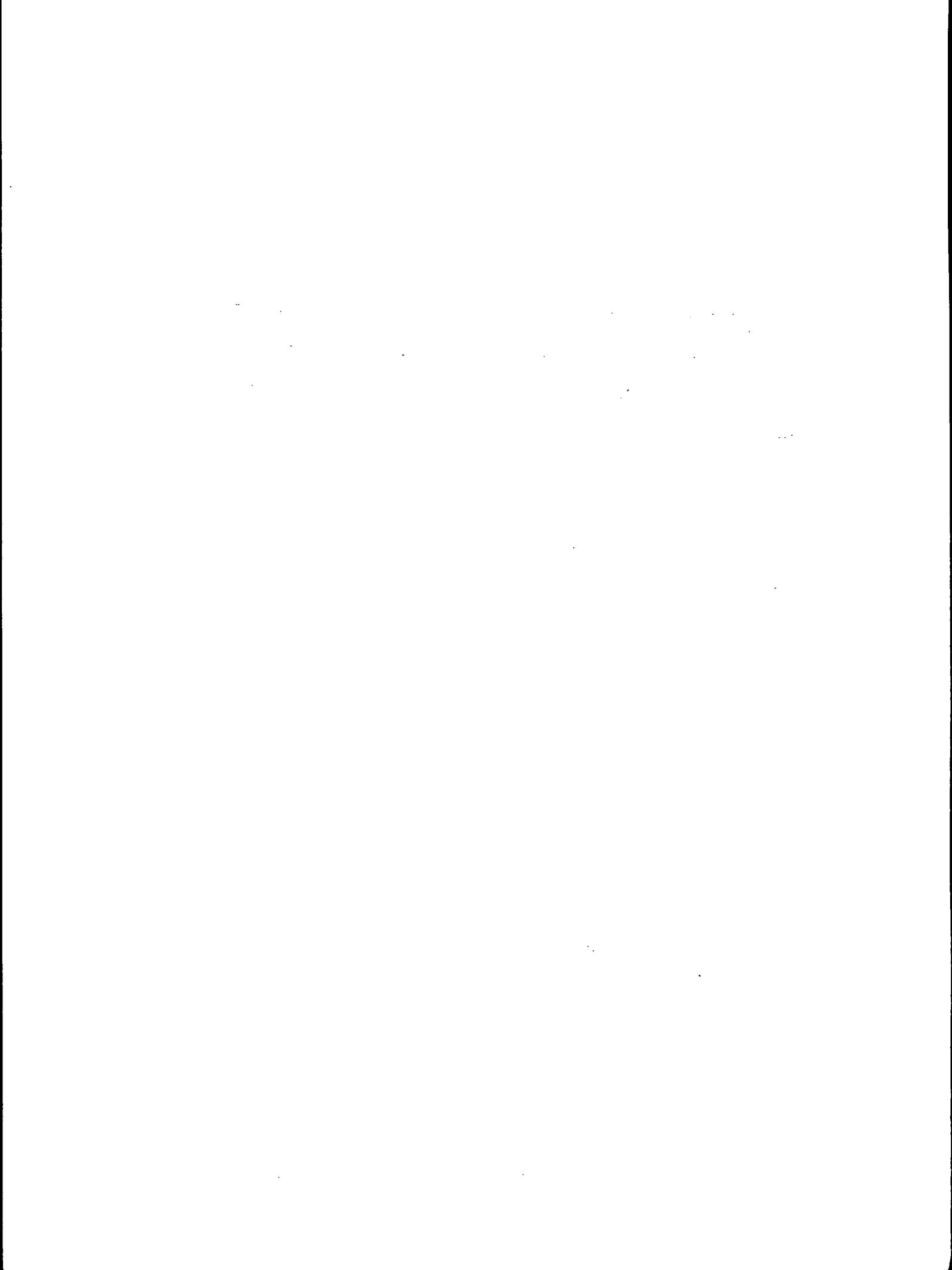


# Appendix G

## Public Input







STATE OF MARYLAND

-----X

IN THE MATTER OF: :

TASK FORCE ON MULTIRACIAL :

DESIGNATIONS IN THE :

STATE OF MARYLAND :

-----X

September 30, 1997

Hagerstown, Maryland

WHEREUPON, the above-captioned matter came on for public hearing at South Hagerstown High School, Auditorium, 1101 South Potomac Street, Hagerstown, Maryland 21740, beginning at approximately 7:00 p.m., the following panel members:

Honorable Anne Healey  
Doctor William P. O'Hare, Ph.D.  
Shegoftah N. Queen  
Jill A. Basye

P R O C E E D I N G S

MS. BASYE: Welcome on behalf of the Governor's Task Force on Multiracial Designations. I am supposed to be calling this meeting to order; and if you would introduce yourself we will get started?

HON. HEALEY: I am Delegate Ann Healey, and I represent the area inside of the Washington Beltway in Prince George's County; and I was the author of the legislation that created the task force.

MR. O'HARE: I am Bill O'Hare, I'm a demographer in Baltimore, we do data, statistics and I think that's why I'm on the task force.

MS. BASYE: I am Jill Basye, and I deal with English as a second language for kids who don't speak English as a first language for the State Education Department, and that's how I was assigned to work on this task force.

Your public comment is to be limited to five minutes. I'm supposed to tell you that. As

you come up to testify if you could state the following and spell your name and your address and then what your affiliation is, if you are the parent of mixed raced children.

If you have anything -- and exhibits or documents that you would like entered into the record we can take that back with us; so we will be preparing a report based on people's comments. So, if you're ready we can begin?

MR. SIRBAUGH: My name is Michael Sirbaugh, S-i-r-b-a-u-g-h, and I live in Boonsboro, Maryland. I am a parent of two adoptive children who are of mixed race; and the reason I am here is because just last year the first time I remember having to fill out a form that asked for the race -- although I am sure I had to in the past, my children are six and nine -- when I had the card in front of me and it said, "Pick a race," there wasn't any that was suitable. So right away I called the school and said, "What can I put that's correct?" And they said all you can put it what is there.

I didn't think that was right. I talked to the Board of Education. I talked to the Department of Social Services and other state agencies that would deal with this, and to be honest with you they all did something different anyway.

Some said you can only pick one, some said you can pick other, but you can't explain anything what that means. I asked them, "What if I don't choose any, because none of them are correct and I don't want to make a false statement on an official document?" And they said, "Well, then we will put something down for you, we can not leave it blank." I said, "That's wrong." But they said that's what they had to do. Why that is essential I am not sure either because it is not like it is a court document. I think it could be left blank; but if it is not going to be I agree that we do have to change something to make the record straight.

I don't think it should be left as it is. My children -- actually I have four children, two are white. The other two that are mixed race I

believe they should be able to put what it true. I don't think false information should be allowed to be perpetuated, especially if it is only for some political reasons.

My children -- we discussed it with my children; the six year old is of course too young to really understand; the nine year old said, "Well, do I have to pick one or do I have to pick the other one? Can I pick both?" And she was a little confused. So, we just said, "Don't worry about it." I told the school finally, "Don't put anything down." They told me they would have to. I said, "Well, then you pick something, and next year we'll pick the other one. So you guys can guess the rest of the time until it's straightened out what they are."

I believe that a multiracial category would be fine as long as maybe that was the first category listed; then it could say if you check multiracial you may pick any or all of the following other categories that apply, which could be white or

Asian, or whatever they happen to be.

I also believe that the other -- another example I heard or read was, "pick any that apply to begin with." Either one of those to me is acceptable. But putting something down that's false is not, because the identity of my child already is of great interest to me because they are adopted and we are trying to make them realize that even though they live in a family and in an area that's predominantly white, that they are of a heritage that is rich on both sides of their family. Knowing some of the racial heritage of those children, they are not bi-racial either, they were mixed before they even got to this point. So since it has been happening for years I think it needs to be straightened out now before it gets worse.

Thank you.

MS. BASYE: Thank you very much.

Well since this is the one person who was not introduced, could you introduce yourself, please?

MS. QUEEN: I am Shegoftah Queen, and I am the parent of a multiracial child; and I am on the task force. I'm sorry I am late, finding the place was difficult. So...

MS. BASYE: This is the only person that signed up to testify?

MS. DAVIS: I would like to.

MS. BASYE: I'm sorry. Would you like to testify. That's great, come on over here.

I thought you came in together. If you could state your name and spell it?

NEWS REPORTER: Could I ask you to hold two microphones?

MS. DAVIS: My name a Stephanie Davis, S-t-e-p-h-a-n-i-e D-a-v-i-s. And I just came -- I am over there at the soccer game.

MS. HEALEY: Do you live --

MS. DAVIS: I live in Hagerstown. I am just over from the soccer game right now. I heard about this and I want to come and I read about it.

I really think there should be a category, because through my twelve years of school, I'm in twelfth grade, I have never gotten to choose a category that fit me; I am Caucasian and African-American, and I don't think it is fair for me to pick one side of my ethnicity over my mom's side or over my dad's side.

In eighth grade I had went through a really bad moment in time. We were taking a test and I said, "Excuse me, which one should I pick?" She says, "Pick whatever you feel like being today." And I go through a lot of stuff, I have a whole bunch of friends, and I go through a lot of things about, "Well, what are you? If you're this, if you're that? Pick one." But I feel as though I am both. You can't pick one or the other. There is a lot of racism, and it is not just against African-Americans, it is a lot against mixed people, you know, the bi-racial people.

I don't have the slightest idea what to pick on that; I don't pick either or, because it says choose one. I feel as though I am not -- if I

choose one then I am not, you know, realizing that I am another two. So there should be a multiracial category. My mom when I was going to pre-school had an altercation with the pre-school teacher, or something. They were like, "Well, pick one, because you're only allowed to pick one." My mom's like, "She is of the human race." So either have multiracial or none at all, because everybody is human. There is only one race, human. And that's what my mother has instilled in me to think, not colors or color, just to think of a human race. So, there should be a multiracial category or no category at all.

I don't understand what the purpose of having a category of what race you are on a report card or on an identification card, or an emergency card. If it is an emergency they don't need to know what color you are or what your background is, they just need to know what your name is and who your parents are. Or, I had gotten a ticket and the officer just assumed I was African-American. You

can't assume, you've got to ask me. I didn't appreciate it, I didn't say anything because I didn't realize it after I looked at it. I mean, it is not just for schools, I think it is for whole Maryland; either wipe it out, put multiracial, or ask, or something. You can't just say, "Oh, she is African-America." Some people think I am from the Aleutian Islands, or something, because that's on there too. How can they have Aleutian Islands, but not multiracial? That's why I came, because I felt this strong about this since like second grade when I first had to fill something. I was like, "Well, what do I pick?" And they were like, "Well, we don't know, pick other."

I told my mom and she was like, "Don't pick anything at all." I leave mine blank and people they fill it out for me in school. I got on the bus when I first moved to Hagerstown in seventh grade, and our report cards had a little number on it. And I was sitting next to this one girl and I was like, "What's your number?" And she was also

biracial. She said, "I have a four." And I was like, "I have a four too." And there was a white child sitting next to me too, and they were like -- I was like, "What is your number?" And they're like, "two," or something other than that. And I was like -- and I started asking everybody on the bus, and I was like, "Why do they have our race category on our report card?" I don't understand the concept of it. Either have a multiracial category or don't have one at all.

MS. BASYE: Thank you very much.

MS. QUEEN: Thank you.

HON. HEALEY: Thank you.

DR. O'HARE: Thank you.

MS. QUEEN: Does it matter to you whether if it says multiracial category, or if it said you're allowed to pick any number you want, like white, black, or whatever? Would that make any difference?

MS. DAVIS: Well, you could pick whatever you want or have a write in. Like if it has

multiracial and a couple lines to state what race you're in; you know, because if you just choose like you know some people aren't just black and white and black and Indian, they're a whole array of different kinds. You should be able to write them in.

MS. QUEEN: If I understand you correctly that's your feelings too, it doesn't matter -- something should be done about it, it doesn't matter whether its multiracial or pick any... is that what you were saying?

MR. SIRBAUGH: Yes, as long as it can be an honest answer. Just as she said, there is an array. Like Tiger Woods is supposedly five different things. You don't have a place for that. So...

MS. BASYE: Thank you. Stephanie, could you sign in for us before you go? This is kind of an information sheet. It kind of states your opinions also in there.

MS. DAVIS: Yes.

MS. BASYE: Anybody else want to

testify? You want to testify?

HON. HEALEY: We want to thank you for coming. We're interested to hear about your interest in this issue, and we appreciate it.

MR. SIRBAUGH: I am glad. The principal last year did tell me, he said, "I hope you do get some satisfaction, because I want to know -- I would like it to be right too. I said, my hands are tied." And he did say there was a task force working on it, but that's the last I heard about it.

I was looking at who your members are and I think this is a good mix -- no pun intended.

MS. BASYE: Well, I had this Bill drafted, you know, we put those categories in there to get people who have a real interest and some experience with the issue.

MS. QUEEN: Since you're both -- you're from this area also. What about this area in Hagerstown and the surrounding area, do you see a lot of biracial? I am asking just off --

MS. DAVIS: Oh, when I came here I was

like, "Oh, my, there is a lot." There are a lot of biracial, multiracial -- so many.

MR. SIRBAUGH: I think there is so many that you can't tell. You see so many you start wondering.

I coached football here up to a few years ago and I had a girl come up to me and she told me she was African-American, but she saw my kid and she said, "I just have to ask you, what are they?" She used an old term --

MS. DAVIS: Half breed?

MR. SIRBAUGH: She didn't use half breed. Melano, or...

MS. DAVIS: Black.

MR. SIRBAUGH: Yeah. And I said, "No, they're not." "Are they half bleed?" Then she said that. And I said, "No, they are biracial." And I explained to her, and she was good at accepting it. But she was curious enough to ask, again which I appreciate. I'd rather that than thinking your own thing.

But, yes, there is many more. We go to church in Frederick, and of course there is a lot more -- our whole church is one big mix. But, in Hagerstown you see a lot of it. Where I live in Boonsboro it is still not very much.

MS. BASYE: Thank you very much. We appreciate you coming out tonight.

MR. SIRBAUGH: I appreciate you having this.

MS. BASYE: Keep watching for what happens next. If you leave your name and address we can keep you on a mailing list for -- if there is something else that comes up that we want to send out.

MS. DAVIS: Okay. Thank you

(Whereupon, the hearing concluded at approximately 8:00 p.m.)

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CERTIFICATE OF REPORTER

I, Lisa R. Thomas, the officer before whom the foregoing proceeding occurred, do hereby certify that the testimony of said witnesses was taken by me and thereafter reduced to this typewritten transcript under my supervision; that said transcript is a true record of the testimony given by said witnesses; that I am neither counsel for, related to, nor employed by any of the parties to the proceeding; and, further, that I am not a relative or an employee, nor financially nor otherwise interested in the outcome of the proceeding, or any action involved therewith.

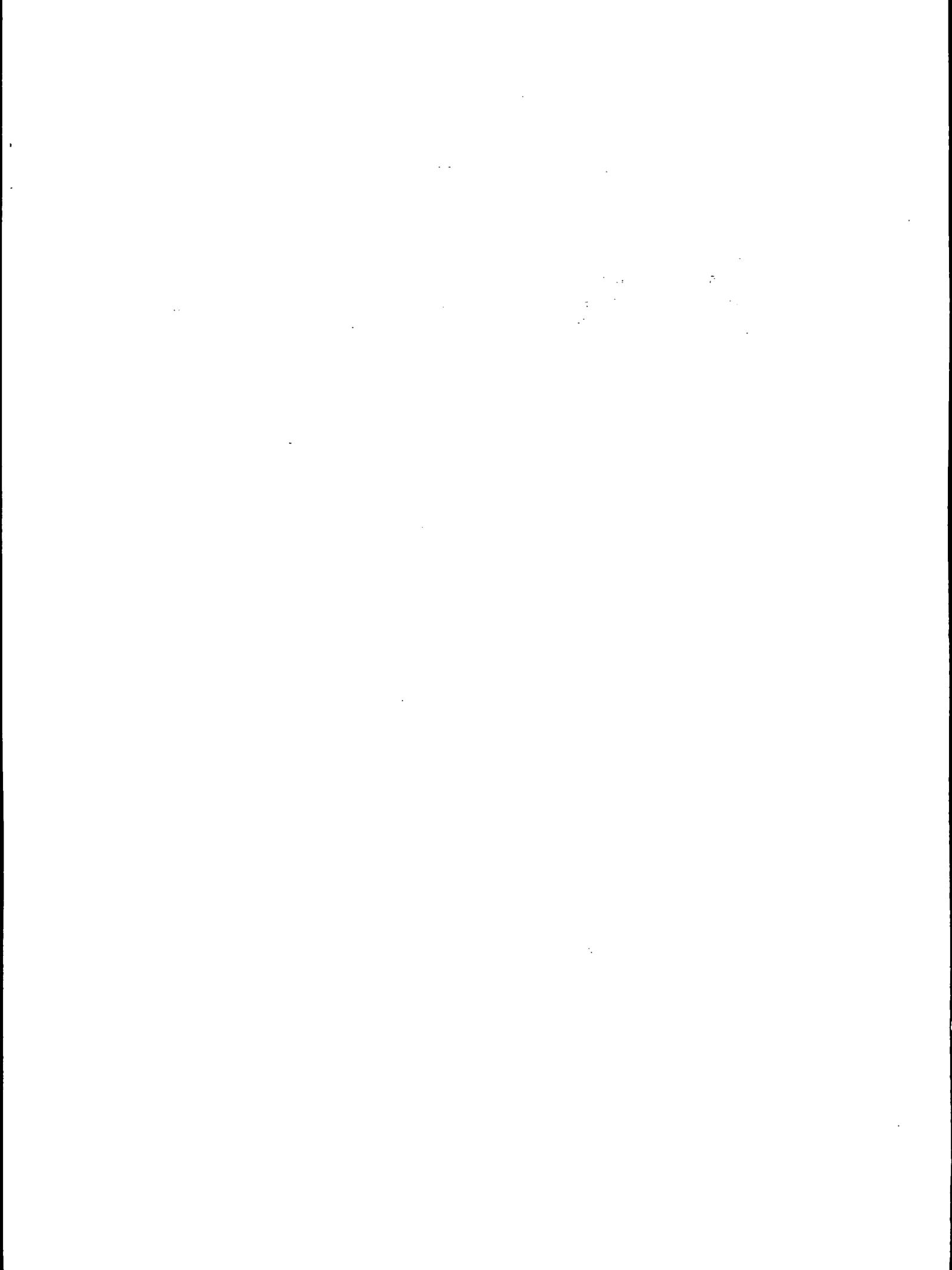
Witness my Signature and Seal:

Lisa R. Thomas

Lisa R. Thomas  
Notary Public  
State of Maryland

My Commission Expires:  
March 1, 1999

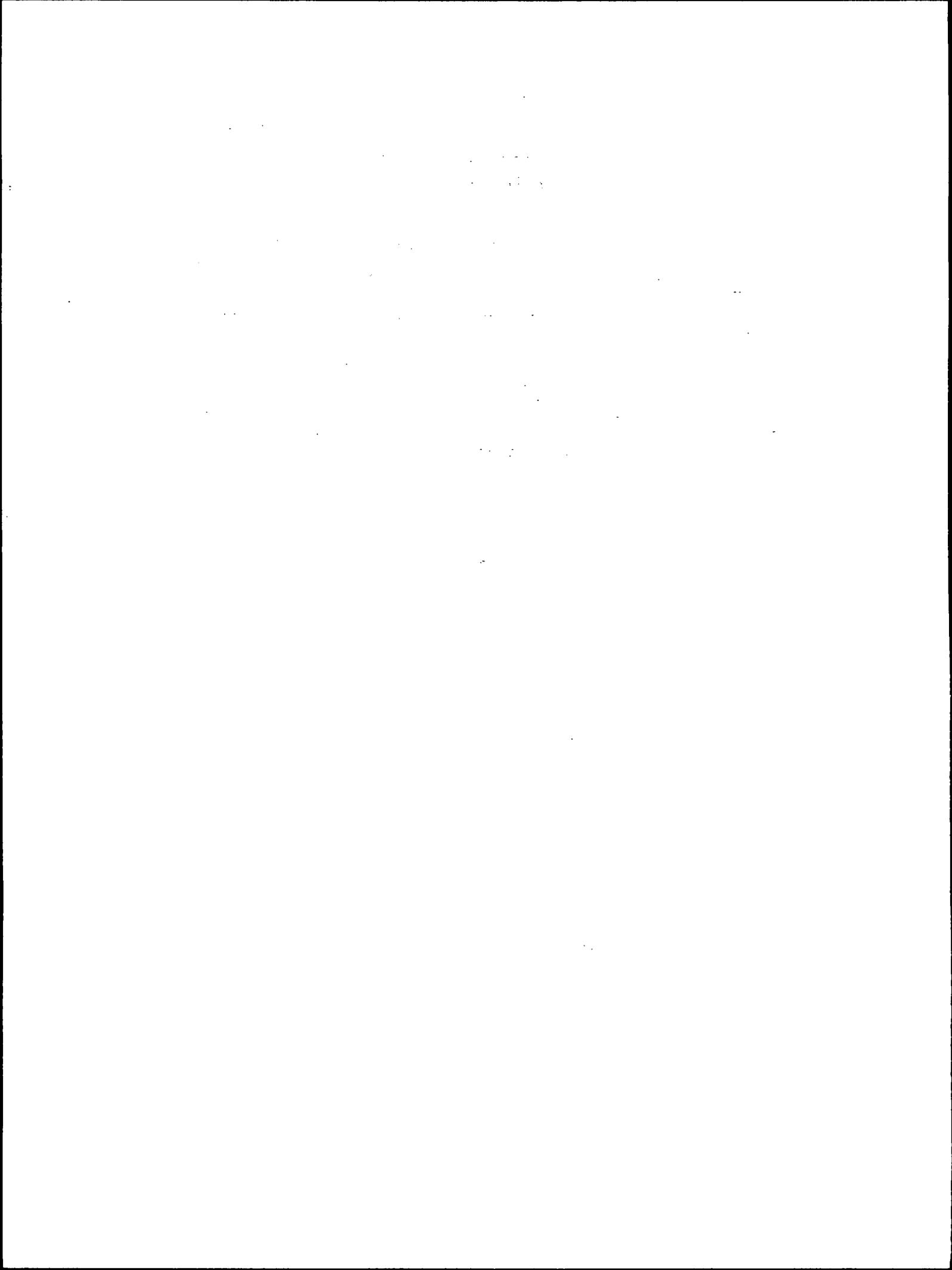
| Name               | Address                                     | Professional Affiliation<br>(if applicable) | Check this column if you<br>wish to provide public<br>comment at this meeting |
|--------------------|---|---|---|
| NATHAN DOUGLAS     | P.O BOX 1622<br>HYATTSVILLE, MD 20788       | PROJECT RACE MEMBER                         | ✓   |
| Sathryn L. Fischer | 7101 14 <sup>th</sup> Avenue<br>Tikoma Park | N/A   | ✓   |
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**HEARING OF  
MARYLAND STATE MULTIRACIAL DESIGNATIONS  
TASK FORCE**

**October 7, 1997**

**Montgomery Blair High School  
313 Wayne Avenue  
Silver Spring, Maryland**



HEARING OF  
MARYLAND STATE MULTIRACIAL DESIGNATIONS  
TASK FORCE

Date: October 7, 1997

Place: Montgomery Blair High School  
313 Wayne Avenue  
Silver Spring, Maryland

Time: 7:00 p.m.

|                |  |      |
|----------------|--|------|
| Panel Members: | Isabelle L. Horon, Dr. P.H., Chairperson | [IH] |
|                | The Honorable Anne Healey                | [AH] |
|                | Jill A. Basye                            | [JB] |
|                | Ernie Banks                              | [EB] |
|                | Shegoftah N. Queen                       | [SQ] |

The hearing convened at 7:17 p.m. with the Panel Members present.

Mr. Nathan Douglas [ND] spoke before the panel.

ND: I am a Montgomery County Resident. I am the father of an 8-year old boy who happens to be multiracial. I am affiliated with Project Race, The Interracial Family Circle, and A Place For Us. I am also an occasional contributor to a web site. As far as credentials beyond that, I have testified before Congress on this issue in May of 1997 regarding multiracial designations. I have also appeared in the media on occasion. I was on the show The Bottom Line. I would like to read into the record a brief excerpt of my testimony before Congress.

*Mr. Douglas reads from his recorded testimony (see Attachment 1)*

ND: If there are any questions in reference to this, I would be happy to answer them.

IH: I'm sure you know that on the federal level there has been recommendation made to allow checklists that allow one to check more than one race rather than just the term multicultural. What are your feelings on that?

ND: I'm very distressed about that. We are on the verge of really making significant progress.

So I was disappointed by that and it seems to me to be a compromise that was unnecessary because there are other compromises out here. For instance there is another compromise about multiracial categories connected to what I call self identifiers that would take the traditional question and allow someone to check multiracial and then to check off separate race that traditionally have existed then you get the best or worst of both worlds, for whatever purposes, the civil rights organizations and the legislature needed, and still extract the separate multiracial data and tallying the numbers individually, for everyone and the numbers are there. It's there. The information is there. The big objection of the multiracial category is to stand alone is that you don't get any type of readout for the purposes of which it traditionally serves. I was disappointed that they lost the term multiracial and so suddenly people were saying multiple race people, interracial people, the kind of people that we have laughingly said check all that applies people or in the case of my son, a twofer. Someone in some office somewhere would tell you that he's multiracial. That is a clear cut term that has a meaning. He's a lot of other things beyond being multiracial. He's black, if you like that term. I like others. He's all of that. It is not a term of the street. But if it is interpreted as such, the federal government would be 'dissing' on me. We saw that in Orwellian.

IH: I think another common term that is used, and in terms of numbers it really makes no difference, is multiracial-other. It would cover some people but after that -

ND: Well, the term other really raises the hairs of most multiracials because it sounds so disrespectful. It sounds first of all like they are confused. They don't know what they are. It sounds like you could just check miscellaneous.

IH: But apparently there are people who feel that the term 'other' for multiracial is just as offensive.

ND: There is a generational split and a cultural split within the multiracial group regarding the term other. At the generational level, I think a lot of the older multiracials have over the years gravitated towards their traditional identification categories. So while they're invested in the idea of being able to try to express all of who they really are, they are very sensitive to anything that would threaten those groups and so they are still invested in the previous terminology and are not quite comfortable with the term multiracial. This plays out particularly in the Asian Caucasian category. They are very militant. They prefer the term mixed. As my son says puppies are mixed, human beings are multiracial. So there is that issue again. There is a generational difference whereas the parents of multiracial children seem to be of young multiracial children post civil rights era. They seem to be more comfortable with the term and certainly it's something that is alive to determine which is commonly used now, multicultural. So it seems to be comfortable to a large segment of the multiracial population who are interested in identifying themselves beyond the traditional categories. But there is a significant percentage who are uncomfortable with the term and have expressed that publicly. I am obviously in the

group who says that multiracial is fine. There is nothing negative about it.

IH: What would you do to collect the data?

ND: I wouldn't collect it in the first place.

IH: Given that you had to?

ND: If I had to I think that the operative watchword should be true accuracy. I said it on the Federal level and I said it on the Bottom Line that what's currently being touted as accurate reliable data is not. I mean obviously multiracials are not being reflected in that data. They are being forced to choose one race or another or one of many races to identify with. So you don't have accurate data at any level, local state or federal. This is actually moving in the direction of that. Now, granted it is radical in the sense that it has not been done in this way before. People are naturally afraid of change but what I think is missed by most folks is that there is no hidden agenda among the parents of multiracials and multiracials themselves who invested in this term, I mean who are not all closet religious rights out to do some kind of nefarious things to the country or our fellow citizens. We just want to be able to identify our children accurately and have them knowing that are the best of all worlds and they are not just this or that, they are whatever they are.

I came up with an analogy, I have a lot of analogies. I thought it would be appropriate since we are in a school setting tonight is, the way it is currently being done in Maryland, is that what we are really saying to people is that one half plus one half equals one half. And if your kid came home from school one evening and told you that's what he was being taught, you would ask him what are you talking about, one half of what. And its silly and its logic that just eludes someone like me who thinks pretty logical. What we are really talking about is what are people comfortable with. This is something that should not be about what everyone is comfortable with but what is the right thing to do.

IH: Obviously you have had a lot of contact with people who have similar concerns with these issues. Give me some direction on where we should head.

ND: The State has to mimic what the Feds are doing. The safe path is to check all that applies and that clouds the issues. We should be hammering out some methods to evaluate and I think the term is - not allot - it might be something like allot - there are two issues here and how you tally and once you have it tallied how do you allot it out for the purposes of the way in which it has been traditionally used.

IH: Many of the constraints we have been working under is that many state agencies have to report collection information. So the way we collect it has to be at least in detail unless we can find a better way to do it.

ND: What I'm putting on the table is the multiracial category with self identifiers. Which would have instruction where you say check one or more of the following and when they got to multiracial they check multiracial and then go down and duplicate by checking those individual components. Some people are quite comfortable being multiracial. Charles Byrd, the editor and publisher of this web site, who gets around a lot, he was on McNeil Leher and he is quite comfortable with just being multiracial. He doesn't want to go any further. That is who he is and he doesn't have any problem with that. Again tallying and allotting that problem, to me whatever you believe in the pure form, but in political reality you need to come up with something workable.

SQ You said the safe way would be to check all that applies?

ND: I am not saying you should do that but mimic what they do and you are lined up perfectly with what they do. They chickened out by calling multiracials multiracials. There is still the question that once they sort it out and there are all these people who have checked more than one race, what are you going to call them? Unofficially at the federal level I think they are still being called multiracial but at some point that is going to have to be put in writing. Since they intentionally did not approve a multiracial category I can't imagine they are going to call these people multiracial when they print out the numbers. So we are into semantics here.

SQ: On the local level what would you prefer to see?

ND: I would prefer to see multiracial with self identifiers.

SQ: But we have to go with the recommendation of (*tape inaudible*). You wouldn't mind at this point?

ND: I object to it only to the extent that I think it is a cop out. We seem to be avoiding the whole issue. We are removing the acceptance of interracial marriages and offspring and the right of those folks to accept determination. You can deal with it now or you can deal with it later. In this modified version you are giving everyone what they are asking. Except the ones on the extreme end of the issue. They won't be satisfied unless you get rid of all the categories or keep the ones you have and don't make any changes at all.

IH: How do you feel about the terminology alternative categories or something similar to it?

ND: I have a problem with it. I use the term they are semantic in any quality. I am not white. This paper is white, my skin is not white. My skin is off brown with melanin. We all got melanin. I don't know how we got started calling each other black and white. Which puts us at opposite ends of a polar spectrum. We can never be the same because we are totally opposite. If we are going to call each other black and white you ought to be

colorological about it and call Asians yellow, call American Indians red. If we are not going to do that than we ought to call everybody by some kind of geological - we ought to have European American and African American as options to coincide with the Asian American category. Beyond that, since you've given me the forum, I don't understand how American Indians, who by every accepted theory migrated here from Asia, ended up being a separate race. They are obviously Asian and how did they end up being a separate race? I don't understand how Hispanics, who are multiracials at the minimum, they are American Indian and Spanish Caucasian - and in many cases if not the majority of cases we also have Africans. So these folks are multiracial but yet we have given them their own category under something called ethnicity. This category routinely intermingles with the racial categories as if it were a race category. In fact some Hispanics want it to be a race category. So we have a totally confused system. Then you throw in things like what is an Arab, what is an Aborigine? I have read that the Aborigine is not genetically connected to Africans at all. The whole thing is bogus to begin with. The line is drawn somewhere. Where do you draw the line? The further question is how wide should we make the line? What's in that middle area there? When do you stop being multiracial and start being something else. It is a mess. This is one step in the right direction to not just fix but to acknowledge people who are not just this or just that or just the other. Fortunately we have evolved as a society and there are enough people willing to speak out about it and willing to declare themselves multiracial and not be pressured to conform to someone else's idea of who they really are. Thank you for allowing me to speak so long.

Ms. Katherine Fisher spoke before the panel.

KF: I am Katherine Fisher. I live in Takoma Park, Maryland. My son says it best, which is, my Mommy is white, my daddy is black and I'm brown and its my choice. My son feels that he should have the freedom to be a human being. Checking boxes on a form creates problems for others, but I am rather neutral about the whole process. I do not seem to mind the limited categories that multiracial individuals are expected to use.

SQ: Which box do you usually check?

KF: None of your business or the category other.

SQ: Would you support the multiracial categories?

KF: Yes.

AH: Is your preference one category for multiracial or the alternative categories

KF: Whatever would not cloud the issues the most. That means we check all that apply. We can have a hundred categories. People always want to judge. I'm sick of it.

SQ: In Maryland we are doing it on the federal level, should we add additional categories?

KF: I think the whole multiracial issue centers on black and white. We should add other multiracial categories that are not even mentioned. They get no publicity. I think what ever all different we should check as many as apply. That opens the door for different categories.

SQ: What would you like to see us recommend from this task force? An alternative category?

KF: Both multiracial and then the option of boxes. Something that covers all the possibilities. The individual should be given an option to check a box simply entitled human being. I don't think we will ever get to that.

IH: Thank you very much.

The Hearing ended at 7:51 p.m.

**10/7/97 Maryland State Multiracial Hearings  
Prepared Testimony of Nathan Douglas**

I am here today on behalf of my son, Anthony, a healthy, well-adjusted 8-year-old boy who happens to be multiracial. Anthony is not a statistic. He is flesh and blood. Bones and muscles. Intellect and genes. And I want to remind everyone, regardless of your opinions on the multiracial issue, **50% of my son's genes came from me.** That means he is neither "Black" nor "White." He is both. And no one should presume to have the authority to tell him, or me, anything to the contrary.

Now most of us know that white supremacists, using their insidious "One-Drop Rule," tell us that one drop of "black blood" makes a person "Black." This crazy concept is an anachronism in today's world. Thankfully, we have reached the point in our nation's great history where we must reject the racist "One-Drop Rule," once-and-for-all. Supporting "One-Drop" today is like supporting the flat earth theory. It is irrational and illogical, period. People who continue to uphold the "One-Drop" myth, whatever their stated reasons, are major contributors to lingering racism in America.

Ironically, among those still supporting the "One Drop Myth," and opposing the new multiracial category, are many in the civil rights establishment. I say to these folks, brothers and sisters, this is a civil rights issue, and you are clearly on the wrong side of it. How can you suggest that a group of your fellow human beings, no matter how large or small, must be denied their right to identify accurately, in order to accommodate the status quo? How hypocritical! The violation of multiracials' right to self-determination should ring loud warning bells for every believer in civil rights.

I remind every naysayer, be they from private or public sectors, that all previous civil rights legislation was construed to be doing harm to someone, somewhere, somehow. People argued about the loss of presumed freedoms or privileges; or the projected, disastrous financial impact; or insurmountable logistical difficulties; or the accompanying social upheaval. However, these were *never* legitimate reasons for activists to withdraw. Civil rights legislation and complementary court decisions were enacted and implemented because they were *morally correct*. Ladies and gentlemen, the multiracial identifier is the morally correct thing to do.

Multiracials deserve the right to identify accurately. And whatever the consequences of this change, we as a society will just have to cope with them. Yes, it may mean other legislation will have to be created and passed. Yes, there will probably be many test cases before the courts. And, yes, the whole process will be inconvenient to many. So be it. Multiracials and their supporters have no reason to be ashamed of demanding their true identity. They deserve respect, support, and accommodation in their efforts.

I would also point out that declaring oneself to be multiracial does not mean one will then cease being "Black," "White," "Asian," "Native American," or whatever. "Multiracial" has always been a term of inclusion. If a multiracial person is discriminated against because of one or more of his-or-her

racial components, then he-or-she can still claim discrimination based upon race. For instance, if multiracial Tiger Woods were discriminated against because of his "blackness," he could seek redress based upon the "black" genetic component of his racial heritage. No one is suggesting these components will disappear when people declare themselves "multiracial."

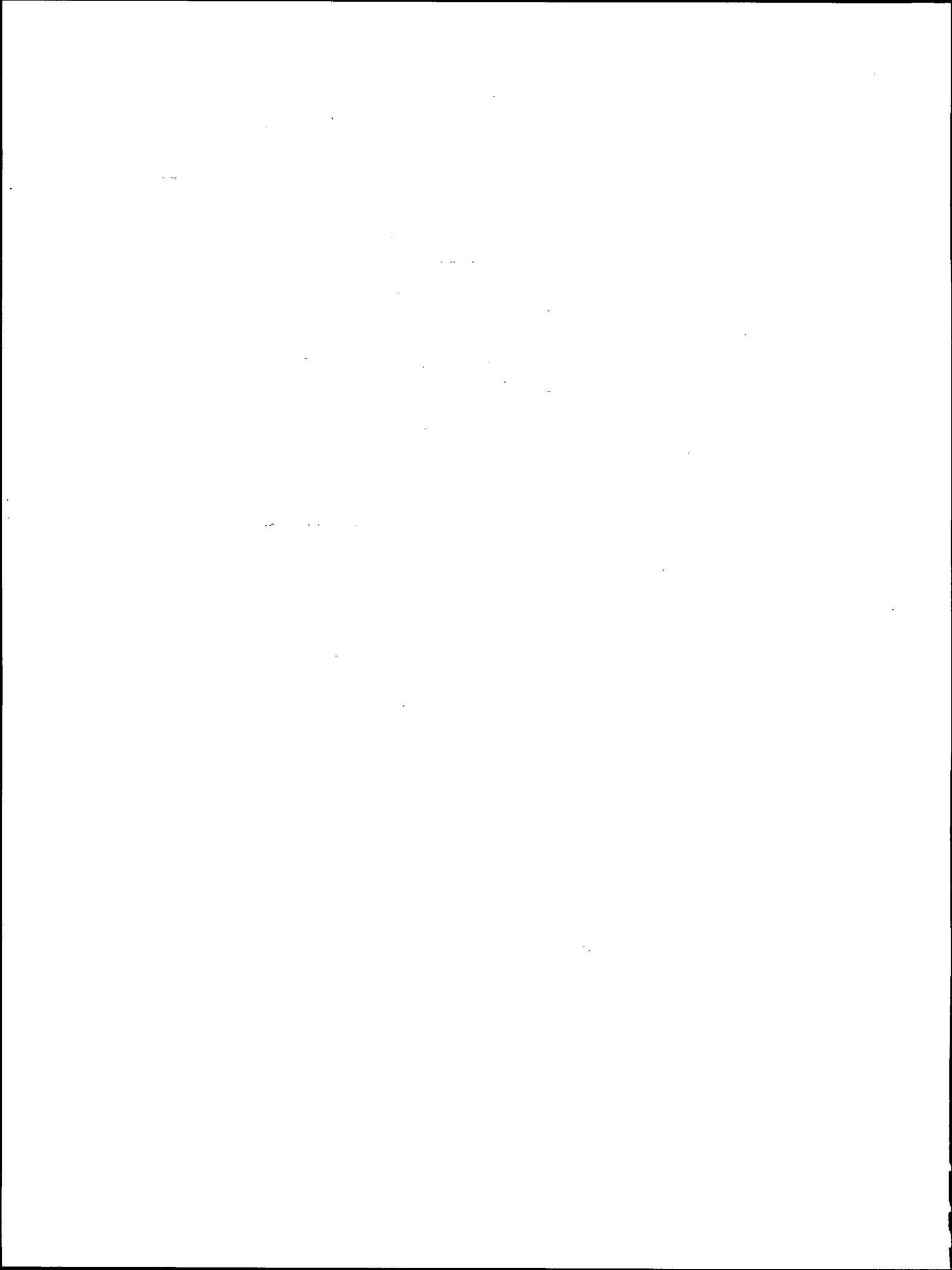
In conclusion, our government should stop demanding that multiracials and their parents commit fraud, in order to maintain an erroneous status quo. It is irrational and immoral to ask me as a parent -- or my child when he becomes an adult -- to choose only one of his racial heritages as a racial identifier. Exclusively calling my son "African-American" or "Black" is a lie; calling him just "European-American" or "White" is a lie, also. Anthony will be multiracial for as long as he lives. We should respect and acknowledge that fact.

I leave you with an old Chinese saying which is just as relevant today: *The beginning of wisdom is calling things by their right names.* I urge you to add a multiracial category. This issue is not about what multiracials want to be; it is about what they really are. This issue is not about the mistakes of the past; it is about the creation of a future in which we respect the dignity and well-being of my son and countless other multiracials, including thousands of European-Asian multiracials who do not fit current categories or stereotypes.

Grant Anthony, and all other multiracial children and adults, an equal opportunity to accurately identify themselves. Grant them the dignity they deserve. Grant them the freedom to choose.

Thank you.

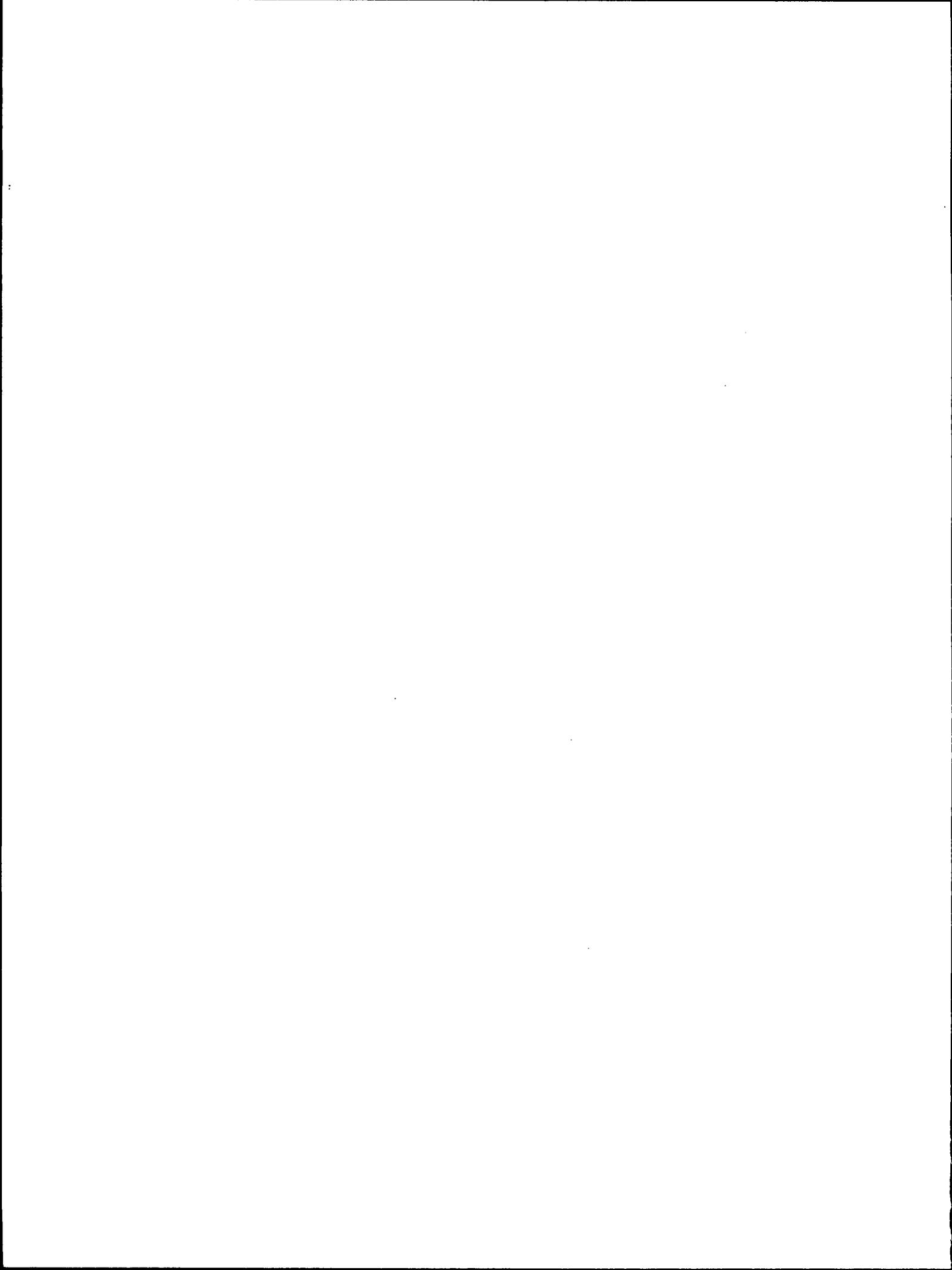
| Name              | Address                                       | Professional Affiliation<br>(if applicable) | Check this column if you<br>wish to provide public<br>comment at this meeting |
|-------------------|---|---|---|
| ✓<br>Janet Jones  | 4243 Mockingbird Cir.<br>Waldorf, MD 20603    | parent                                      | yes   |
| ✓<br>Elaine Baker | 4825 Pisgah Marbury Rd<br>Marbury, MD 20658   | N/A   | yes   |
| Violet Simmons    | 5241 Red Hill Dr.<br>Indian Head, MD 20640    | N/A   | yes   |
| ✓<br>Paul Brown   | 4875 Pisgah Marbury Rd.<br>Marbury, Md 20658  | N/A   | yes   |
| George BOWMAN     | 4875 Pisgah Marbury Rd.<br>Marbury, Md. 20658 | N/A   | yes   |
| Sharon M. Jackson | Governor's Office - CMA                       | Governor's Office                           |   |
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**HEARING OF  
MARYLAND STATE MULTIRACIAL DESIGNATIONS  
TASK FORCE**

**October 9, 1997**

**Waldorf, Maryland**



**HEARING OF  
MARYLAND STATE MULTIRACIAL DESIGNATIONS  
TASK FORCE**

**Date:** October 9, 1997

**Place:** Waldorf, Maryland

**Time:** 7:00 p.m.

**Panel Members:** Isabelle L. Horon, Dr. P.H., Chairperson [IH]  
The Honorable Anne Healey [AH]  
Jill A. Basye [JB]

The hearing convened at 7:03 p.m. with the Panel Members present.

**IH:** Good evening. The federal government is proposing to use a check list approach in asking for information as to whether individuals may chose one or more racial groups. I wanted to get your opinion on that.

Sharon M. Jackson [SJ] responded to the panel.

**SJ:** I asked both of my children what their thoughts were on that. I have been following it. I thought that as a parent that if they did that it wouldn't bother me. Both of them were very adamant that they didn't have to make choices from other people's identification. They wanted a category of their own. Both of them feel very strong that they want to be classified as biracials. If they have to be classified at all.

**IH:** One comment that we have heard about the term multiracial is that some people find it offensive. That feel it really isn't a lot of difference between other and multiracial. Do you have any feelings about that?

**SJ:** My personal feeling is that there is no reason to list race. We lived in England for seven years and race was not on any of the forms.

However, I know that for political reasons that in this country that is not something we are ready to get pass yet. My feeling is that the term "other" is such a negative term. My daughter expressed it best when she said, it is kind of like you don't fit anywhere. She felt that at least if she could put multiracial or biracial it would give her a category that is hers. And it is not just the kind of leftover kind of thing.

IH: Thank you.

Elaine Baker [EB] spoke before the panel.

EB: I would like to just quote Dr. Martin Luther King, Jr. He said that, people should not be judged by the color of their skin but by the content of their character. I think that summarizes it all. We have some ancestors who passed along way ahead of us and we were always told that they just passed - well first off, I have always grown up as a black person in the black race. We have some earlier ancestors who went along with the white race. They blended and nobody knew the difference and to our knowledge they never traded their race in any way at all. We are not asking to be black and we are not asking to be white. But biracial is far more fitting than black. I refused to be referred to as African American. I have no ancestors from Africa that I know of. We have done a thorough check. I went along with the colored the Negro and the black but I refuse to be African American. We have changed many times. So I still say you should define the person by the character not by the color of their skin. I worked thirty-something years for the Federal Government, I have traveled a lot, and whatever group I was with I was always characterized as member of that group. When I am with the white group I am white. When I am with the black group I am black. When I was in Egypt I was Egyptian. When I was in Mexico I was Hispanic. I have been everything. It is not that I was really trying to pass for any one particular race. It is just that people characterized me themselves. I think I pretty much summarized my feelings.

IH: I wonder if you have a preference of using the different multiracial or having a checklist to check off whichever categories apply to you on these government forms?

EB: I think multiracial or biracial is part of being African American or White.

IH: Thank you.

Violet Simmons [VS] addressed the panel.

VS: Good evening. I would like to say that during our time we attended a segregated school. There are times in my life that were very painful because often times we were called names that we didn't like and our parents told us that we were not allowed to call names back so we didn't feel like as kids were getting even. Having worked in the public school system for 26 years during segregation and integration I find that it was very painful for a lot of students being classified. I think the word race has created more horrors than any other word in the world today. I think if it could be eliminated all together I think we will all benefit and we would be just the human race. Those are my feelings. I remember when the story Roots came out it brought out so much hostility among the Caucasian or the African American or Negro race or whatever. It just brought back so many painful memories. The students' parents were telling them stories and their history background and they brought it to school. Not only was it among students but it was among the teachers and I was surprised because I thought that they were old enough to know their identity and it would not interfere but it actually involved teachers with a lot of hostility as well. So I think the four letter word, race, should be eliminated all together and we should just be people. I think it will be a lot better world.

IH: I just want to say as an aside that since you brought up Roots, the genealogist who did all the research for Roots is on our task force.

Paul Bowman [PB] spoke before the panel.

**PB:** You are all here for the same reason as most of us tonight. I just want to say as you look around and see, this is a family affair, you see sisters and brothers. I am an American and I prefer to be an American. Not any particular race. Like my sisters I have been characterized as well. Wherever I am, whatever country I am in, that is what I am. I don't speak their language. Instead of using race they use what country are you from. What different does it make when you are American we are all supposed to be treated equally. We are not. Maybe we will never be but that is what we ought to strive for. So they ask, what country are you from? They ask, how did you get here, why did you come? What is your purpose of being here? They do not ask your race. Yet our race, the Negro race I can remember niggers, Negroes, black, African American, ten to twenty of changes. Why? We are the only ones that are pacified. We let other people pacify us by our looks and that is not important but it is what is in you. So I don't like any of the categories. I leave it blank. I put so many things on mine it is not funny. Knowing what I am. I wonder sometimes myself what I am. I have worked for the Federal Government too for 26 years. I made it my point to be strong. Be strong and stand up for who you are. Not what race your parents were.

**III:** Obviously it would not be your first choice but what do you think about the federal government's recommendation to use the multicultural approach?

**PB:** I don't think they should do it. What is the purpose of it? I haven't figured it out yet. What is the purpose of it?

**IH:** To find out if multiracial designations are more tolerable than the checklist approach or perhaps some kind of combination.

**PB:** I don't like any of it. You are who you are. You can do a background check. You are who you are. We shouldn't be separated like that. We should all be treated equally. I am not for any of them.

IH: A number of state agencies are required to report to federal agencies various statistics including race so regardless of what our personal opinions are on the task force as to what should be done, we I have to make some recommendation.

PB: I've been through that and it says that various races have various different ways. The people of color - I put on there a race of color. Whether it be African American, black or Negro I check it. Other times, like on my driver's license, white. None of their business. Sometimes black. Depends on what it will help.

IH: Given the strict restraints that we are working under do you have any words of wisdom for us?

PB: I just wish more people were here. Leave race off. Just leave it off. It is not important. Treat us equal and let it be. Don't ask don't tell. I didn't select who I am and what I am. I had no choice of who my parents were.

IH: Thank you. We appreciate it.

George Bowman [GB] spoke before the panel.

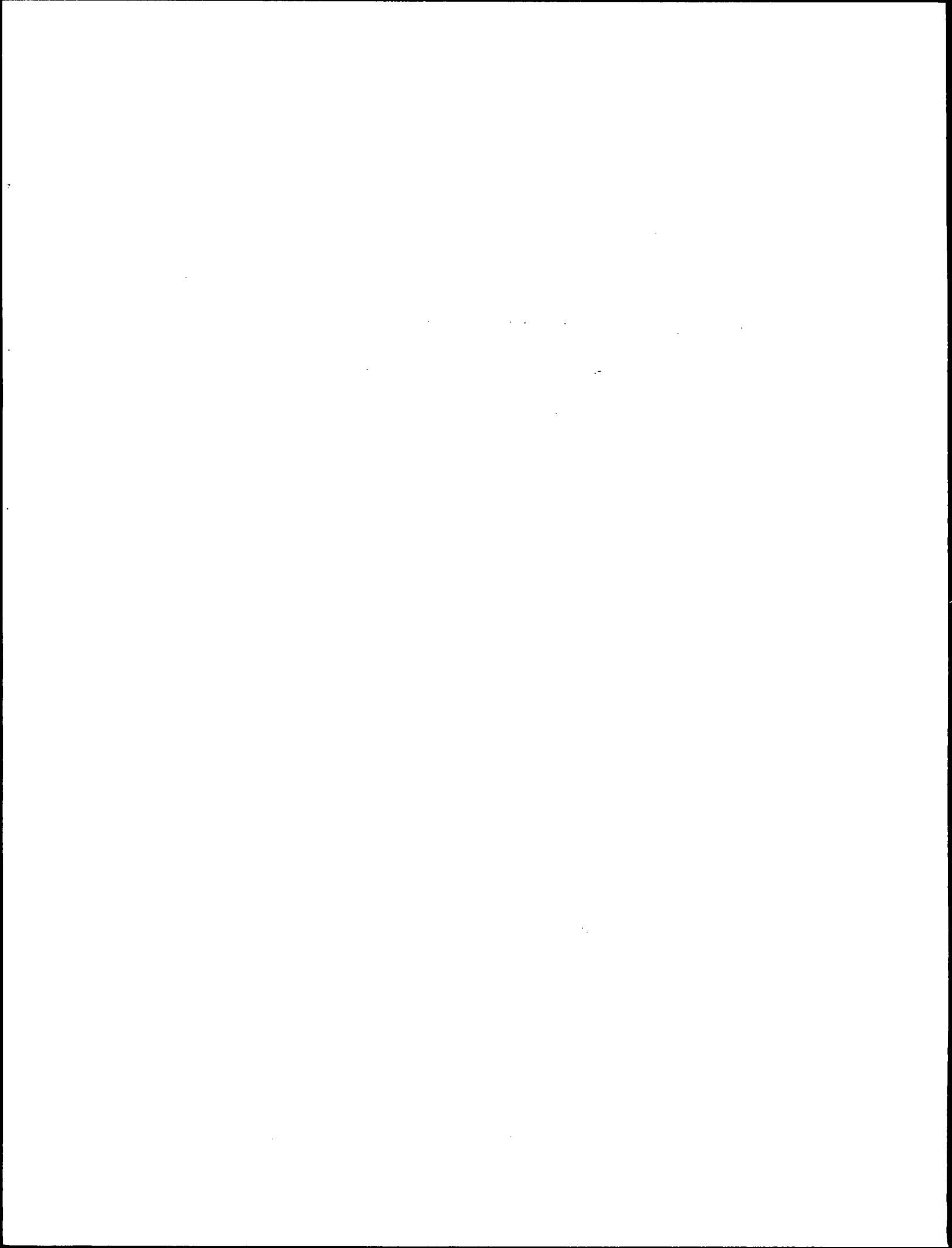
GB: These folks have already said just what I am going to say. When it comes to race I think to have to pin it down to one particular race - - I think that I would be discriminate by playing one against the other. To say that I am Negro or white I think would be discriminate against the other part. I prefer that we be called American. But if it has to be biracial or multiracial as the case might be - - but definitely American would be more fitting and it would cause less problems in the country in general. It is kind of like separating the races. I don't think it you should be that way.

IH: Anyone else here that would like to speak?

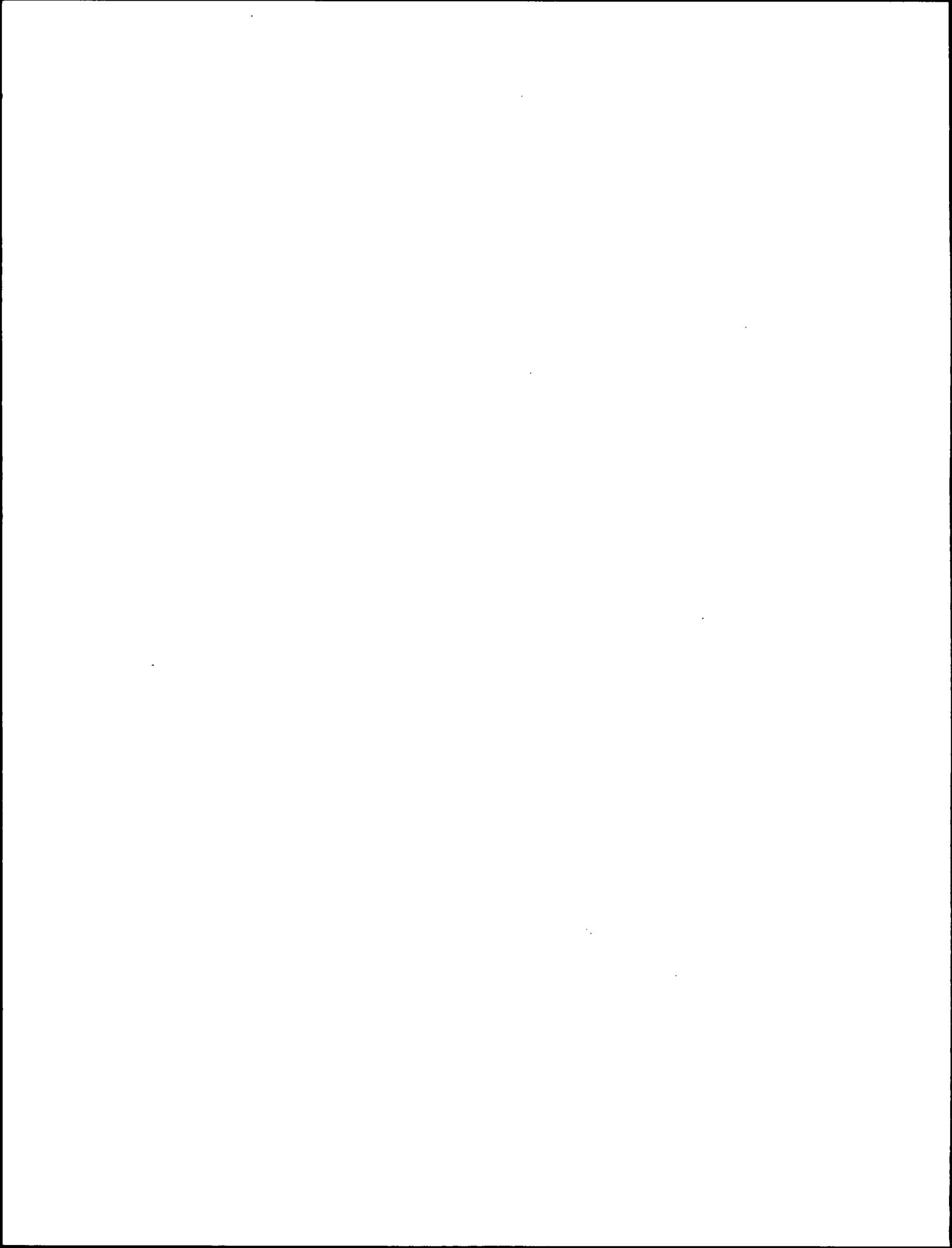
*(No response)*

IH: Thank you all for coming out tonight.

5



| Name             | Address   | Professional affiliation<br>(if applicable)            | Check this column if you wish to<br>provide public comment at this<br>meeting |
|------------------|---|--|---|
| Julie Kershaw    |   | Project Race   | ✓   |
| Mark Leeds       | 5 Whispering Court<br>Cwings Hills, MD 21117              | NA   | ✓   |
| Bernard H. Leeds | 5 Whispering Court<br>Cwings Hills, MD 21117              | NA   |   |
| Benjamin Rappel  |   |  |   |
| RONALD THOMAS    | BALTIMORE COUNTY PUBLIC SCHOOLS<br>6901 CHARLES ST Towson | EXECUTIVE<br>DIRECTOR OF<br>EDUCATIONAL ACCOUNTABILITY |   |
| Dr. Etta Lyles   |   |  |   |
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STATE OF MARYLAND

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IN THE MATTER OF: :  
TASK FORCE ON MULTIRACIAL :  
DESIGNATIONS IN THE :  
STATE OF MARYLAND :  
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The above-entitled matter came on for hearing on Wednesday, October 15th, 1997, commencing at 7:20 p.m., at Western/Poly High School, 1400 Cold Spring Lane, before Kelly A. Alford, Notary Public.

APPEARANCES:

- Isabelle L. Horon, Dr. P.H.,  
Chairperson
- Todd Cioni, Staff Member in Attendance  
for The Honorable Paula C. Hollinger,  
Member, Maryland State Senate
- Ms. Jill A. Basye, Representative  
Department of Education

Reported by: Kelly A. Alford

1 P R O C E E D I N G S

2 CHAIRPERSON: I'm Isabelle Horon and I'm  
3 chairperson of the Task Force on Multiracial  
4 Designation. This is Todd Cioni, who's  
5 representing Senator Hollinger this evening, who's  
6 also a member of the Task Force. I apologize for  
7 the confusion tonight. The school was very  
8 confused about when we were getting here and where  
9 we were going and I know that people have been sent  
10 back home again and I apologize for the confusion.  
11 They promised that they would put signs up which  
12 they apparently didn't do and I apologize. Anyway,  
13 as I mentioned we're members of the Task Force on  
14 Multiracial Designations and we're presently  
15 conducting a review of the way that racial and  
16 ethnic information is collected on state forms in  
17 Maryland. As part of the review we're holding  
18 public hearings around the state, five of them, to  
19 collect as much information as we can from the  
20 public. As you probably know currently if you're  
21 filling out state forms that requests racial

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1 information you can only select one race,  
2 regardless of what your racial or ethnic background  
3 is and with the increasing diversity of the  
4 population this may not be the best way to collect  
5 information, so we're interested in your comments.  
6 We're going to be making a recommendation to the  
7 governor and the General Assembly on December 1st  
8 and as I said we're very interested in hearing your  
9 comments. So if you wouldn't mind, before you  
10 start speaking, if you could just state your name  
11 and your address for the record, we would  
12 appreciate it.

13 MRS. KERSHAW: Julie, my name is Julie  
14 Kershaw. My address is 5429 Cynthia Terrace,  
15 Baltimore, Maryland 21206. I have, I guess first  
16 I'll tell you why I'm here, why this is of concern  
17 to me. I have a multiracial child and I had not  
18 had to deal with this issue until the beginning of  
19 this school year when I registered for the first  
20 grade. When I was asked to pick a race for her and  
21 you know the five racial categories that are on the

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1 forms, it's the same with the county school system,  
2 I refused to pick a race for her and was told that  
3 if I didn't pick one they would pick one for me.  
4 They did. They picked her as white. She looks no  
5 more white than I look white, skinwise. She  
6 doesn't look black either, so there was nothing for  
7 me to pick for her. What she is is multiracial,  
8 but she had to sit and listen to a secretary say  
9 pick one, you're white, which is very, very  
10 confusing for a small child to deal with. So  
11 that's where all of this began for me.

12 (Discussion held off the record.)

13 CHAIRPERSON: I'm sorry.

14 MRS. KERSHAW: That's okay. So that's  
15 where this started for me. This is where I began  
16 to address this issue. This was never an issue in  
17 our home. My daughter is both black and white.  
18 My, I have two nieces who are both black and white,  
19 I have neighbors whose children are black and  
20 white. Multiracial is just an everyday thing for  
21 us, it's not something that we thought we would

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1 have to deal with. This is a very big issue in the  
2 county school system that they follow what the  
3 state does, and I'm real confused as far as what  
4 the state is doing by taking the racial codes that  
5 we give the schools and then you send that to a  
6 federal level; am I correct? The information  
7 you're giving them is inaccurate, it's not even  
8 true, so we're asking -- the school is asking me to  
9 lie to them about my child's race and then I'm  
10 lying to my kid about what she is, I'm denying her  
11 one of her parents and then the state is taking  
12 that same information and lying to the federal  
13 government, but this is how we're going to do this.  
14 I mean that makes no sense to me. One of the  
15 biggest problems I have with it all is none of it  
16 is true, the information that we're giving the  
17 state or the federal government. Another problem  
18 that I have with all of this is that, you know, we,  
19 I read here what's happening on the national level  
20 and we leave out the fact that seven states and  
21 numerous school districts have already changed and

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1 added multiracial to their forms and we don't  
2 include that in this information we've handed out  
3 here today or the information -- it's the same  
4 information that I received in the mail. So I'm  
5 concerned about that, if people don't know, you  
6 know, how is this information getting out to them?  
7 I got this information through the grapevine,  
8 per se.

9           Another question I have for you is I'm  
10 looking here and I see that we have 13 members  
11 here, we have two here today. And that's all.  
12 Only two of the 13 have multiracial children, so  
13 that concerns me. There are no multiracial adults  
14 on here to my knowledge. There are no multiracial  
15 children, teenagers on here, so I'm wondering how,  
16 you know, first look what we've got here collecting  
17 the information, that concerns me.

18           CHAIRPERSON: I can answer that  
19 question.

20           MRS. KERSHAW: Okay.

21           CHAIRPERSON: Part of the legislation,

1 well, the legislation that created this task force  
2 specified who would be on the task force, not by  
3 name, but by --

4 MR. CIONI: Category.

5 CHAIRPERSON: -- category. Right. So  
6 there had to be one person who was the adoptive  
7 parent of the multiracial child, two members of the  
8 Senate, two members of the House of Delegates, two  
9 representatives of the Department of Education, a  
10 representative of the Department of General  
11 Services, so these people were not selected based  
12 on their race and --

13 MRS. LEEDS: Where are they?

14 CHAIRPERSON: The other task force  
15 members? Well, three were supposed to be here  
16 tonight and I think that they went home because  
17 they couldn't find us or they were turned away.  
18 We've had meetings all over the state and people  
19 have been traveling around and it gets tough to be  
20 at all of the, of the hearings, but as you can see  
21 we're making a record of every hearing and every

1 task force member is going to read every word of  
2 everyone's testimony, so don't feel that only the  
3 two of us are going to hear it.

4 MRS. KERSHAW: Now, I was under the  
5 impression that today was a due date for  
6 information to the federal government.

7 CHAIRPERSON: Today is the day that the  
8 federal government was supposed to come out with  
9 their final recommendations and in July they came  
10 out with the preliminary recommendations and today  
11 is the day that they were supposed to come out with  
12 the final recommendations. I haven't heard.

13 MRS. KERSHAW: What's interesting is  
14 that we're holding a hearing and they're just  
15 coming out with their recommendations today. I  
16 guess my concern is, you know, there is three areas  
17 that you guys look at when we're going to make  
18 these, when you make these decisions and one of  
19 them is what your federal government is going to do  
20 and your other will be what the public, what the  
21 public gives you and then for financial reasons, so

1 we're looking at those three areas, which area is  
2 of most importance, which area is really going to  
3 help make your final decision here?

4 CHAIRPERSON: Well, I think that all  
5 three are important.

6 MRS. KERSHAW: Okay. Is there an area  
7 that's going to be the main concern?

8 CHAIRPERSON: Well, in terms of where  
9 our efforts have gone, they have gone into the  
10 public hearings. We've done a tremendous amount of  
11 work preparing for the public hearings. We've had  
12 terrible response from the public which we're very  
13 disappointed about. We've had fewer than a dozen  
14 people at all five meetings combined and I've  
15 gotten a number of faxes and letters and e-mail  
16 which, you know, we'll, will be distributed to the  
17 committee and which we'll take into consideration,  
18 but we really, really wanted a great deal more of  
19 input from the public, so what you have to say here  
20 tonight carries a lot of weight.

21 MRS. KERSHAW: Okay. When I look at

1 this whole issue I guess, you know, my six-year-old  
2 would say it best, I'm who I am and she's both,  
3 she's both races. What races they are isn't  
4 really, I guess, of importance, she's a multiracial  
5 child. Her parents, she has one parent who's of a  
6 different race than the other, which makes her more  
7 than one race. She's very proud of who she is,  
8 we're very proud of who she is. All we're asking  
9 is that the state, the federal government, the  
10 school system, everyone acknowledge them for who  
11 they are, they're already here and they're  
12 multiplying. There are adults that still put  
13 other, that still don't know what to put on forms,  
14 and this is been going on, you know, for too long.  
15 It's time that we wake up and acknowledge them for  
16 who they are.

17 I also have a lot of concerns about our  
18 health care, our children are going, they're not  
19 even in the health care, same thing with the forms  
20 in the health care system, they're not acknowledged  
21 there either and that is scary to me. When it

1 comes down to bone marrow donating, when it comes  
2 down to any kind of donating of the blood, how do  
3 we know what race we're getting it from. They  
4 don't acknowledge our children there.

5           Self-esteemwise, you know, we're asking  
6 these children, these adults to pick a race, we're  
7 asking them to just be half of what they are. We  
8 could ask them to check all that apply, we could  
9 ask them to check, black, white, Indian whatever  
10 they're, they were. So what does that make them,  
11 black, white, Indian? They deserve a name, a  
12 terminology for what they are, that's multiracial.

13           I guess my biggest concern is that when  
14 we look at this whole issue we're not looking at  
15 who it effects the most and that's the kids. We're  
16 looking at what the federal government is asking us  
17 to put on paper, what the state is asking them to  
18 put on paper, these are real lives, real people  
19 with Social Security numbers and dates of birth.  
20 These are children who learn and what we're  
21 teaching them is to lie, is to accept what society

1 throws at you and that's not how I'm going to raise  
2 my child and that's not how I would hope others  
3 would raise their children. I guess that's all I  
4 really have to say.

5 CHAIRPERSON: Could I ask you a couple  
6 of questions?

7 MRS. KERSHAW: Sure can.

8 CHAIRPERSON: From what we've been  
9 hearing at the other public hearings suggestions  
10 that people have seem to fall into four different  
11 groups. One is that we shouldn't collect race at  
12 all, there is no such thing and we shouldn't  
13 collect it. The second is that we should use the  
14 designation multiracial and the third is that we  
15 should use a checklist approach which is what the  
16 feds are recommending and the fourth is to use a  
17 combination of the term multiracial along with a  
18 checklist approach, if you were making a decision  
19 what would you prefer?

20 MRS. KERSHAW: Multiracial.

21 CHAIRPERSON: Just multiracial?

1                   MRS. KERSHAW: I would definitely prefer  
that --

2                   CHAIRPERSON: Okay.

3                   MRS. LEEDS:

4                   MRS. KERSHAW: -- to check all that  
5 apply. So when my daughter would fill out a form  
6 she would fill out black, white. What does that  
7 make her? When you look at that form and you see  
8 black/white, what does that make her? What is she  
9 to you, when you see that? I have a problem with  
10 that black/white, half and half.

11                   CHAIRPERSON: Some of the comments that  
12 we've heard about multiracial are first of all that  
13 there is not a lot of difference between other and  
14 multiracial and other is a very offensive term to a  
15 lot of people. The second is that some people feel  
16 that multiracial doesn't really describe them  
17 because someone who's multiracial can be white and  
18 African-American or Indian and Asian and they feel  
19 that they're losing their identity by classifying  
20 themselves as multiracial without further  
21 designations, do you have any feelings about that?

1           MRS. KERSHAW: I would have to say that  
2 everyone has their right to decide what they choose  
3 to put or what they choose to accept for  
4 themselves. You're going to find that some don't  
5 want anything, others is fine with them. I would  
6 be, there is no way I would pick other. Other is  
7 not, other is like separating from everyone else,  
8 it's making them inferior to the other races.  
9 Black/white, I have a problem with that. I have a  
10 problem with biracial, I think that multiracial is  
11 a fair term, terminology for everyone because  
12 you've got -- at least I know of a lot of people,  
13 families who are black, Hispanic, the mother is  
14 white and Indian, so you've got four different, you  
15 know, things going on there. Multiracial seems  
16 like a fair term that could go around the, around  
17 the board.

18           CHAIRPERSON: Okay. Thanks. Do you  
19 have any questions?

20           MR. CIONI: No. You asked it.

21           CHAIRPERSON: Okay. Thank you.

1 Appreciate that you came tonight, I know that  
2 you're not feeling well. Mark, did you want to  
3 say --

4 MR. LEEDS: Yes, hi.

5 CHAIRPERSON: Hi.

6 MR. LEEDS: My name is Mark Leeds,  
7 L-E-E-D-S. I live at 5 Whispering Court, that's in  
8 Owings Mills, 21117. I'm here tonight with my  
9 wife, Bernadette and my son, Aaron. I am white and  
10 my wife is black. We have thought about this as an  
11 issue really since before Aaron was born. I think  
12 we first dealt with it in terms of the state this  
13 past summer when we went to get a picture I.D.,  
14 picture I.D. card from Motor Vehicles because we  
15 were going to Canada and I don't think I was  
16 prepared to deal with it that day that, that, you  
17 know, we were told that they had to include a  
18 category, you know, basically black, white or  
19 other, you know, at that point. And, you know, my  
20 wife said to me, well, you know, do you want to put  
21 white? No, that's wrong. I said black is equally

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1 wrong, and I think the Motor Vehicles clerk trying  
2 to be helpful at that point said and whatever you  
3 do, you know, you can't, it's not the kind of thing  
4 that we can change later. So, you know, we ended  
5 up for lack of a better choice putting other, but I  
6 think other is, is also wrong. Now, I think it  
7 certainly is arguable whether it's useful to  
8 collect information about race, you know, on forms,  
9 you know, I'm not convinced that it serves any  
10 meaningful purposes. However, if we're going to do  
11 it and I assume it's the kind of thing that we do  
12 and we're going to continue to do, then at least  
13 let's have the information be accurate and  
14 meaningful. Neither black nor white are accurate  
15 in this case and other is certainly not meaningful  
16 because it doesn't convey any information and I  
17 think that the term other does, you know, send a  
18 signal to him when he's old enough to understand it  
19 that he doesn't fit into a category that's  
20 important to the people who monitor these things.  
21 You know, I think it's just wrong and I believe

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1 that a category of multiracial would be the way to  
2 go, you know. And I think multiracial does say  
3 something and I know it doesn't distinguish someone  
4 who's black and white from somebody who's Asian and  
5 white or Asian and black; however, it is saying  
6 that this is a person who has a combination of  
7 racial heritages and I think that's a much more  
8 meaningful piece of information than any of the  
9 other choices that currently exist. That's all I  
10 have to say. Thank you.

11 CHAIRPERSON: Thank you. Any questions?

12 MR. CIONI: Thank you.

13 CHAIRPERSON: You know the questions  
14 already, you answered them before we asked them.

15 MR. CIONI: You answered them ahead.

16 CHAIRPERSON: Bernadette, did you want  
17 to say anything?

18 MRS. LEEDS: I just wanted to say that I  
19 hope the task force members -- as I look on the  
20 list, it's good to see people from the legislature  
21 represented here and I'm also pleased that the

1 governor is interested in this especially with his  
2 children's first initiative during this year and  
3 the first thing children have to come to terms with  
4 is a sense of self and I just hope that he  
5 recognizes that is their identity and their race  
6 and I do support the multiracial category.

7 CHAIRPERSON: You would recommend using  
8 the multiracial category without any further  
9 identification?

10 MRS. LEEDS: Well, I need to think about  
11 it more because initially I am thinking that a  
12 checklist for the races that do apply tend to break  
13 it down more so that you do have more information,  
14 but I don't want that information to be used  
15 against the child and in a sense that, in a  
16 negative sense but only as a sense. If more  
17 information is needed beyond multiracial category  
18 then to break it down because I do expect that  
19 there would be some differences as far as health  
20 reasons, for instance.

21 MR. LEEDS: If I might say something

1 additional about that. I don't think it's  
2 realistic or practical to think that the kinds of  
3 forms on which the, this sort of information is  
4 collected are going to be expanded to the, this  
5 area is going to be expanded to the extent that  
6 such comprehensive information is going to be  
7 collected, you know, every time somebody fills out  
8 a form that goes to government, you know. Right  
9 now you have black, white or other or the five  
10 categories. I mean it's a small place on a form,  
11 it's too much information and it's just not  
12 realistic to think that people are going to want to  
13 redesign forms to collect that information all of  
14 the time. I would think that it might be useful  
15 once every 10 years when the federal government  
16 does its census to have very complete information  
17 so that we would know nationally, you know, who  
18 were the people who designate themselves as  
19 multiracial, how many, you know, how many people  
20 are black and white, black and Asian, with other  
21 combinations, and I think there is, as generations

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1 go on these are going to become increasingly  
2 complex and maybe to the point where people aren't  
3 really able to answer those questions, you know. I  
4 know, you know, white people now who say well, you  
5 know, my mother was Irish and Italian, and my  
6 father was French and German, but his father wasn't  
7 really German, he was German and Austrian and it  
8 gets to a point where it just may be too much  
9 information to realistically want to collect.

10 MRS. LEEDS: My concern is just this  
11 past summer as Mark just spoke about at the  
12 Department of Motor Vehicles I was very, very  
13 distressed that I had no choice for my child and I  
14 was forced to check other. That really upset me  
15 that I had to do that in 1997 as we're preparing  
16 for year two thousand and we still have a form that  
17 hasn't caught up with the times.

18 MR. LEEDS: We said could we just not  
19 answer.

20 MRS. LEEDS: Right.

21 MR. LEEDS: And they said no.

1 MRS. LEEDS: I can't make a change --

2 MR. LEEDS: We can't process the forms  
3 without, you know --

4 MRS. LEEDS: -- for the rest of his  
5 life.

6 MR. LEEDS: Make a change. A clerk at  
7 Motor Vehicle Administration shouldn't have to deal  
8 with parents. You know, getting that kind of grief  
9 about something that clearly was not her fault.

10 MRS. KERSHAW: Could I add something  
11 else on to that? I feel the same way about our  
12 schoolteachers and our secretaries at our school  
13 system. They really should not have to pick a race  
14 for our kids and they do, they get placed with that  
15 responsibility and that is a big responsibility,  
16 especially for an irate parent who's not going to  
17 pick one. I feel for those secretaries and those  
18 schoolteachers who are faced with that. And with  
19 the check all that apply, I thought of one more  
20 thing, are we going to include every race there is?  
21 Can you fit them all on the paper? I mean,

1 realistically that doesn't seem to make a whole lot  
2 of sense, there is not going to be enough room. We  
3 could leave it blank and people could put I'm Texan  
4 and Italian, that confuses people. Multiracial is  
5 not confusing. It's pretty simple.

6 MR. THOMAS: I wasn't going to speak,  
7 but since it's such a small informal group, I will.  
8 I'm Ronald Thomas, Executive Director of Education  
9 Accountability, Baltimore County Public Schools.  
10 In my department are the offices that collect data  
11 and report data to the Maryland State Department of  
12 Education. Currently we have five options of, to  
13 report to MSDE, the five race codes, if we send  
14 data to State Department of Education in any other  
15 format it is sent back to us, so we do not have  
16 another option. We do not have a multiracial  
17 option. When I report student achievement data on  
18 the Maryland School Performance Program I have to  
19 report it by student number, which is coded by  
20 race. The reports come back in a segregated  
21 fashion. If you've seen a state report card for

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1 become distressed at an issue that's not our issue,  
2 it's not their issue, but we inherited, we become  
3 part of it because it's the process of registering  
4 children in school.

5 CHAIRPERSON: What you hear from  
6 parents, what do you think would be an acceptable  
7 policy?

8 MR. THOMAS: It's not appropriate for  
9 me. I'm here to listen to perspectives. What  
10 sorts of things do you hear from parents? I mean  
11 other than the fact that they're upset, I mean what  
12 are their issues? The kind of things that Mrs.  
13 Kershaw indicated, that school personnel are asked  
14 to make choices, parents are distressed about  
15 making choices. I don't that they should be placed  
16 in that position, I think there should be  
17 definitive community, acceptable, definitive  
18 procedures that are accepted by the community.  
19 What they are, I'm still in the learning phase as  
20 you are. I have talked to Mrs. Kershaw several  
21 times. I'm here tonight listening to other

1 the school the data are segregated by race.  
2 Currently only the five races are possible. I  
3 would ask the task force to be very definitive in  
4 your recommendation.

5 I came tonight to listen to the  
6 perspectives. It's not appropriate for me to take  
7 a position, but I do ask that the task force take a  
8 definitive position, provide us with guidance that  
9 is acceptable to the community, so that our staff  
10 is not placed in the position that Ms. Kershaw has  
11 mentioned. I don't want to have to place my staff  
12 in the position of making those decisions. They  
13 should not have to do so. There should be  
14 definitive guidance through the Maryland State  
15 Department of Education that doesn't require a  
16 school principal or secretary to make that  
17 decision, so whatever the decision is I would hope  
18 that it would be clear, definitive and one that's  
19 acceptable to the majority of the community because  
20 also I don't want to set up my secretaries and  
21 principals to have situations where the parents

1 perspectives, but I'm, I'm not in a position to  
2 take a position at this point, but I do hope, I  
3 would hope that definitive direction would be given  
4 that would be acceptable to the community.

5 CHAIRPERSON: You can join us, Jill.  
6 This is Jill Basye, also a task force member.  
7 Benjamin Rapheal --

8 MRS. KERSHAW: He's not speaking.

9 MS. BASYE: He's over here.

10 MRS. KERSHAW: I don't think he's  
11 speaking, he was with me.

12 CHAIRPERSON: Jill, I don't think he  
13 wants to speak. Okay. Did you want to --

14 MS. LYLES: No, I don't want to speak.  
15 I'm here as an interested person, as a former  
16 teacher who has seen the problems in the schools  
17 that this creates and also because I don't know if  
18 you public, the task force publicized these  
19 meetings widely enough or maybe in the proper form.  
20 I saw it by accident in the Daily Record in a  
21 little thing about so big (indicating) an

1 announcement of a public meeting and it caught my  
2 eye and my interest and then when I came over here,  
3 never having been on the Western campus before, I  
4 parked about a quarter of a mile away and asked  
5 everyone along the way where is this meeting.

6 CHAIRPERSON: We all got lost.

7 MS. LYLES: No one knew where a meeting  
8 was so they told me to come in the front door of  
9 Western, I came in the front door and I walked  
10 blocks around the hallways before I saw this little  
11 tiny sign standing in front of the door handwritten  
12 in a light ballpoint script that led me to the  
13 library. I mean, is this a way to conduct a public  
14 meeting?

15 CHAIRPERSON: Well, when I got here at  
16 6:15 all of the doors were locked, we had made  
17 arrangements to use this building months ago and  
18 had followed up many times. Last conversation was  
19 a few days ago when we were told that there would  
20 be signs up all over the building telling people  
21 where to go and I got here tonight and nobody knew

1 anything about us. Actually, there was somebody  
2 outside, a custodian was leaving and she unlocked  
3 the door for me, so believe me, we're no happier  
4 than you are. Actually, we're much more upset than  
5 you are, because we heard that people were turned  
6 away and sent home.

7 MS. LYLES: That is amazing.

8 MRS. KERSHAW: Well, I have to agree  
9 with you that you really don't hear about these  
10 meetings, and how I heard about it was through the  
11 grapevine, I mean, just by chance.

12 CHAIRPERSON: Well --

13 MRS. KERSHAW: If these were publicized,  
14 I have a neighborhood full of multiracial families,  
15 I'm sure they would have been more than willing to  
16 come.

17 CHAIRPERSON: Well, we sent letters out  
18 to several lists of groups who we thought would be  
19 interested, our press office publicized the meeting  
20 they got lots of calls back from the press, I mean  
21 the AP picked it up and put it on the wire.

1 MS. LYLES: I spoke with them also.

2 CHAIRPERSON: USA Today had a little  
3 blurb in their newspaper a couple of weeks ago and  
4 as I said the press office got a lot of calls, so  
5 somehow people were finding out --

6 MS. LYLES: Okay.

7 CHAIRPERSON: -- about it.

8 MS. LYLES: My name is Etta, Dr. Etta  
9 Lyles, L-Y-L-E-S. Isn't it customary, though, to  
10 publicize public meetings in libraries and other  
11 public fora?

12 CHAIRPERSON: Well, they were publicized  
13 in the Maryland Register. Also --

14 MS. LYLES: But how many people besides  
15 myself and you read the Maryland Register?

16 CHAIRPERSON: Right. Well, also --

17 MS. LYLES: Or the Daily Record?

18 CHAIRPERSON: I called the director of  
19 the PTA four times myself and I know another task  
20 force member called her also, I sent her a lot of  
21 material, I sent her a one page little blurb about

1 the public hearings and asked her to please,  
2 please, please, publicize this for us, I called her  
3 back and left a long voice mail about how important  
4 this was to a lot of parents to please get the word  
5 out among the PTA and I never got a call back from  
6 her.

7 MS. LYLES: Amazing.

8 CHAIRPERSON: So we tried, and we're  
9 very disappointed.

10 MS. BASYE: A lot of effort was put out.

11 MR. CIONI: I think without a doubt, I  
12 mean no matter what we do, just speaking from the  
13 senator's behalf, because it happens at the Mass  
14 Transit Administration, you know, when they hold  
15 bus stop hearings or whatever, and they, the MTA  
16 and Senator Hollinger has asked routinely does  
17 anybody have any suggestions and unfortunately, the  
18 MTA posted notes in the community and everything  
19 else like that and even like that it's not until  
20 the bus is driving through the neighborhood and you  
21 say you have these hearings and it's a very

1 difficult thing to figure out exactly how to reach  
2 the public because as I'm sure you're aware, the  
3 Daily Record doesn't just cough up a whole page ad,  
4 which is what we would like to do, the Baltimore  
5 Sun to give you a half a page to put these things  
6 in it, you know, it's a very difficult thing  
7 because everything has such a wide array of  
8 audiences that you want to reach. It's tough to  
9 ever make a pinpoint determination of how to do it.  
10 It's a very common thing that we, at least I have  
11 with a lot of the things that, a lot of phone calls  
12 that come into the senator's office, the first  
13 thing is I heard you had a hearing and, you know, I  
14 had no idea and these are for big things, you know,  
15 the MTA and large companies, large parts of the  
16 state that do.

17 MS. BASYE: We had the same kind of  
18 turnout--I don't know if this is helpful--high  
19 school assessments when they were first started we  
20 had public interest hearings and very few people  
21 showed up for them also, even though a lot of

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1 children are going to be affected when the high  
2 school assessment comes into place. I'm from the  
3 state ed department and it's just very difficult to  
4 get the right target audience to come out in the  
5 evenings, but we did have meetings and we were  
6 trying to offer information about the high school  
7 assessment, it's the same kind of thing, so it's  
8 just another experience.

9 CHAIRPERSON: Well, even though we  
10 didn't have the turnout that we expected I think  
11 that we've gotten a good feel for what the public  
12 wants. In addition to the information that we've  
13 gotten from the hearings, I've gotten quite a bit  
14 of written materials, letters and faxes and e-mail,  
15 we wish we could have done better.

16 MS. LYLES: Well, I'm sure that you did  
17 the best you could, but I'm sure it's difficult to  
18 reach the audience that you are trying to reach.

19 CHAIRPERSON: Well, we thought the way  
20 to reach them was through the PTA.

21 MS. LYLES: It sounds logical.

1 CHAIRPERSON: But just didn't work out  
2 at all.

3 MS. LYLES: I don't know. I guess the  
4 most widely read publication in Maryland is the  
5 Sunday Sunpaper, something large enough in the Sun  
6 to catch everyone's attention.

7 CHAIRPERSON: The Sun was notified about  
8 the hearings, short of paying for an ad which we  
9 couldn't do because we don't have any money,  
10 there's really no way to do that.

11 (Discussion held off the record.)

12 (Hearing adjourned at 7:55 p.m.)

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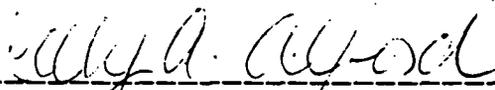
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1 STATE OF MARYLAND  
2 CITY OF BALTIMORE

3 I, Kelly A. Alford, a Notary Public in  
4 and for the State of Maryland, City of Baltimore,  
5 do hereby certify that the foregoing is a true and  
6 accurate transcript of the proceedings indicated.

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Kelly A. Alford, Notary Public

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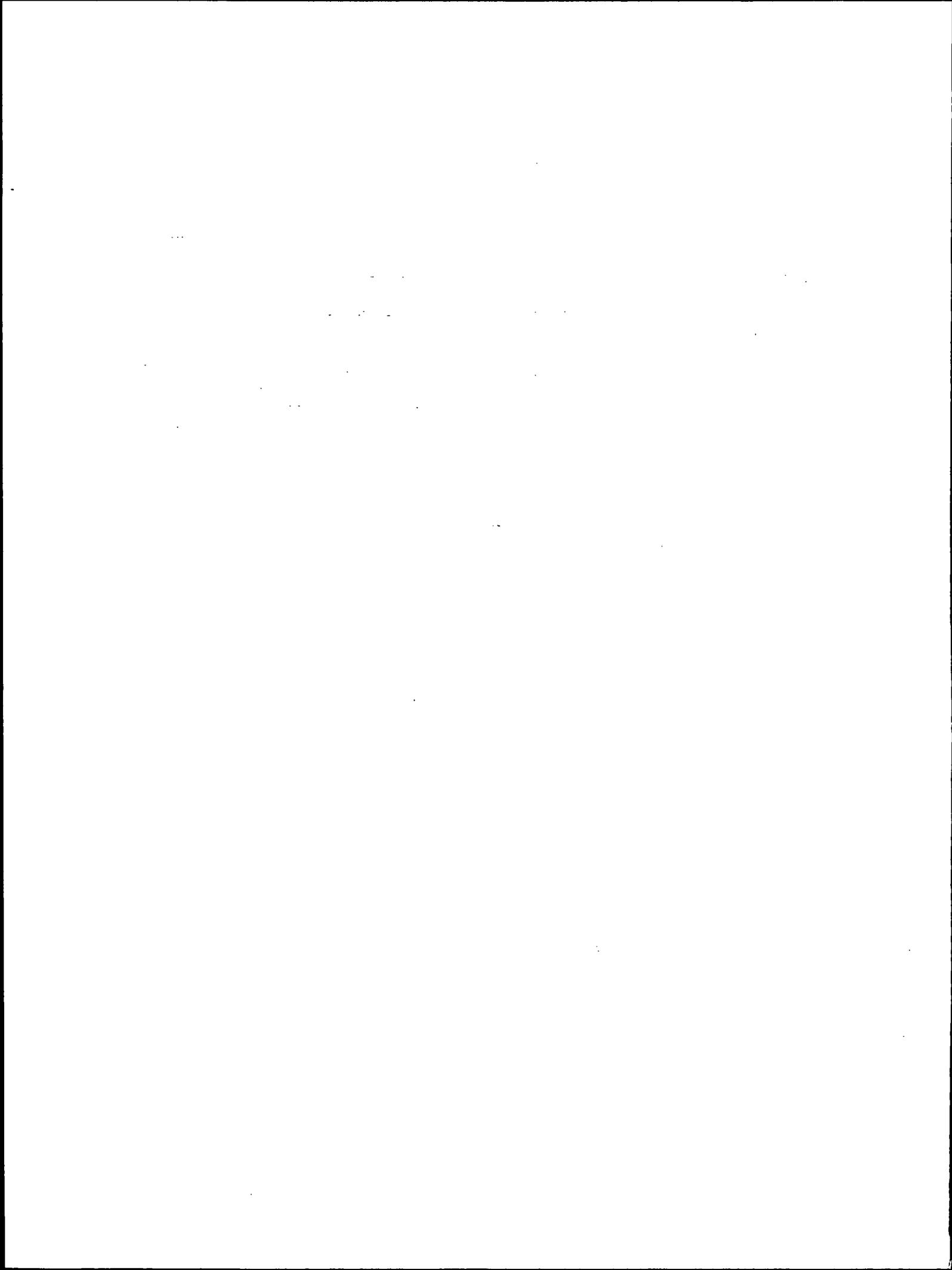
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**Maryland Association for Multicultural Counseling and Development**

A Division of the Maryland Association for Counseling and Development



DATE: OCTOBER 21, 1997

TO: DR. ISABELLE L. HORTON, CHAIRPERSON  
TASK FORCE ON MULTIRACIAL DESIGNATIONS

FROM: EUNICE P. HILLIARD, N.C.C.  
PRESIDENT  
MARYLAND ASSOCIATION FOR MULTICULTURAL COUNSELING AND DEVELOPMENT

SUBJECT: RECOMMENDATION FOR REVISING CATEGORIES FOR  
RACE AND ETHNICITY

THE MARYLAND ASSOCIATION FOR MULTICULTURAL COUNSELING AND DEVELOPMENT HAS REVIEWED AND DISCUSSED THE CIRCULAR ON MARYLAND RACIAL AND ETHNIC CATEGORIES AND RELATED PUBLIC HEARINGS, AND, AT THIS POINT, OFFER THE RECOMMENDATION THAT FOLLOWS:

ADD THE MULTIRACIAL CATEGORY, AND ADD A LIST OF MULTIRACIAL AND RACIAL DESIGNATIONS SO THAT AN INDIVIDUAL MAY SUBMIT SPECIFIC IDENTIFYING INFORMATION IF HE/SHE CHOOSES TO. PROVIDING A PERSON THE OPPORTUNITY TO RESPOND IN THIS WAY HONORS THE INDIVIDUAL'S RIGHT TO DEFINE HIMSELF/HERSELF AND TO CONTRIBUTE TO DECISIONS ABOUT HIS/HER POLITICAL AND ECONOMIC FUTURE. COLLECTION OF DATA ON RACE AND ETHNICITY COULD CONTINUE IN THE USUAL MANNER.

**From:** crawfordjc <crawfordjc@igc.apc.org>  
**To:** OSD\_DOM.OS\_PO(HoronI)  
**Date:** 9/6/97 1:57pm  
**Subject:** Multiracial categories on MD forms

Thank you for bringing this issue to the forefront in Maryland. This is one of the areas fastest growing multiracial communities. Its high time the government and others stop pretending that we dont exist in and of ourselves by trying to fit us into one category or simply referring to us as "OTHER." (I really hate being an other!!!) It is ludicrous and contradictory for a country that considers itself the melting pot of the world to deny the melting pot its place among the monoracials on forms and in every other aspect of life where the races are being counted, without trying to make us feel guilty for simply existing between the categories. Things havent been clearly black, white, asian, indian for many years in America, especially in Maryland. With the growing population of spanish immigrants, who's very name means multiracial, and other immigrants who dont claim the limiting categories of black, white etc.. not to mention the growing number of interracial marriages in Maryland, you can no longer deny that Maryland has a huge multiracial population. If demographics are going to be truly accurate as to the racial make-up of Maryland, you're going to leave a lot of people out by trying to pinpoint specific racial categories for thousands of multiracial adults and children.

Children have a hard enough time trying to learn their lessons and learn how to be responsible, respectful adults. When adults and other kids make them feel less because they are not one specific race or call them derogatory names like "half-breed", that leads to disrespect for humans that are not like you or dont look like you and therefore hinders the responsible, respectful adult thing greatly. This same effect is felt when there is no category for us on government and other forms. I think this plays a significant role in todays racial tension that is plaguing the country. Part of adult responsibility is to take responsibility for the behavior in our communities. Maryland takes a great leadership role in this area already and this effort will only reinforce that legacy. Until we as humans stop putting so much emphasis on what we are and put more emphasis on what we should be doing, there will never be an end to racism and discrimination based on racial origin, skin color, and other superficial human characteristics.

America IS the great melting pot of the world. As in other strides in innovation, I hope Maryland will take a leadership role in showing the world that we are moving beyond petty skin color and racial prejudices and on into the 21st century with a renewed hope of a more unified Maryland. Part of the way to do this is to stop making people feel guilty or less because they are mixed and give us our rightful place on the forms!

We are so much more than a race. We are cultures and customs and heritages with much to offer the community in terms of learning how to live with our differences and giving each other the benefit of our experiences as multiracial humans and our sense of commradery with other races that we are most likely relat . to, as well as our knowledge of how

to bridge racial gaps in our own families.

I hope you decide to do the right thing and put us on the forms.

Thank you for your time.

Sincerely,  
Janet Crawford  
multiracial human being  
7805 Lockney Avenue #101  
Takoma Park, MD 20912

CC: OSD\_DOM.SMTP\_1("crawfordjc@igc.org")

September 30, 1997

**Note to Isabelle Horon, Dr.P.H.**

**Subject: Comments on Racial and Ethnic Information on State Forms**

It is good to see that the State of Maryland is concerned about how it collects its data on racial and ethnic populations within its jurisdictions. The formation of a Task Force on Multiracial Designations is a visible conscious effort reflecting the State's concern.

However, it is not clear WHY the State has voiced and acted on such a concern in examining the use of a multiracial category on State forms. What will such a category give to the State by way of actions that can be taken whether the actions are program interventions, tax policies, housing issues, environmental responses, or other steps leading to the resolution or prevention of some societal problem? In examining this issue at the national level, the process that was followed by the Office of Management and Budget was long, complex and thorough. The process examine the issue from a variety of perspectives with the final draft deciding not to have a multiracial category. I believe it would be useful for your Task Force deliberations to consider the documentation of the OMB process and final draft. Such documentation provides good information about the various aspects of the issues involved.

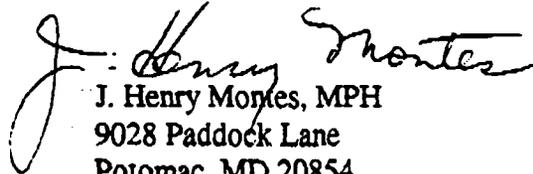
Furthermore, I would propose to the members of the Task Force to use the national designations as suggested in the OMB final draft. Key to this draft is the use of the designations of populations that make up the larger categories known as Hispanics, Asians, and Pacific Islanders. By having the data collection identifiers be the same as at the national level, you as the State can better compare your performance progress in addressing the needs of these populations with the rest of the nation.

Multiracial is a label that does not exist in reality. It is a construct in order to explain a variation in populations dynamics. Obviously, the people who are of mixed races and ethnicities are very real and originate from various nations and peoples. It is these roots of ancestry that are important to these families ---that they be recognized as having many diverse roots and not just one. However, ultimately the root with which they predominantly identify is one which they will choose for themselves and have the opportunity to make known through the State data collection efforts. At the national level, the opportunity is also there to identify all the different roots of one's ancestry to allow persons to demonstrate that they can be known by and with any of these groups they have marked on the form. I believe this same opportunity should exist at the Maryland State level as well.

In analyzing such racial multi-designations for purposes of decision making about population-based service programs, geographic information about the individuals could also be used to

determine the risks or needs of the persons being served and/or to be served. Thus, it is the person who self-selects his or her racial and ethnic designations that will determine population distribution and the basis for program responsiveness in taking appropriate actions. I believe it is the responsibility of the State to capture these data as they are and not try to make up a new population.

I hope you find these comments useful. If there are any questions about these comments, please call me at 301-443-1960 during the day.. Thank you for the opportunity to share these ideas with you and the Task Force.



J. Henry Montes, MPH  
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301-762-1103

From: Joyce Woodford <JWOODFORD@mercury.niaid.nih.gov>  
To: "'horoni@dhhm.state.md.us'" <horoni@dhhm.state.md....>  
Date: 10/2/97 10:37am  
Subject: Task Force on Multiracial Designations

Dear Dr. Horon

As a child of a mixed race marriage, I have always approached these attempts to "capture" my racial makeup in various ways---initially opting for black because society sees me as that by the basis of my skin color; moving to other (if offered); to adding "human being". I have now decided to check white for the next 50 years since I have given my father's family credit for the first 50.

I grew to dislike leaving one-half of what makes me, me, undeclared. I have strong ties to my Italian family and they to me. They have pictures from my birth, childhood, marriage, graduations, of my children, etc. proudly held in family albums. Needless to say the same is done here.

However, since it appears that these are to be the measuring blocks of "fairness", I would like to see the option of "Other " added. To allow me to check more than one box is to give the government the authority to categorize me as Black and still ignore my Italian ancestry.

Thank you for the opportunity to provide my comments.

**From:** <Julia@mail.mop.MD.GOV>  
**To:** OSD\_DOM.OS\_PO (HoronI)  
**Date:** 10/9/97 1:40pm  
**Subject:** task force on multiracial designations

I believe the specifications which were laid out by the federal taskforce are very appropriate and I would like to express my support for allowing a person to check off all categories that apply to him/her.

**From:** Gabrielle Donnelly <gabby100@bellatlantic.net>  
**To:** OSD\_DOM.OS\_PO (HoronI)  
**Date:** 10/9/97 7:41pm  
**Subject:** Interracial Issues

I am a product of an interracial marriage. The reason that I feel it is important to have our own racially identity is because our population is growing more that society can deal with. I really hope that your panel can make a decision for us. We are a people who are not being identified as to what we truly are and that stinks. Imagine if you didn't no who you were?

Gabby

Oct. 10, 1997  
Sandria Fox  
605 Ray Dr.  
Silver Spring, MD  
20910

Isabelle Horon, Dr. P.H.

Chief, Division of Health Statistics  
Maryland Dept. of Health & Mental Hygiene  
201 West Preston Street  
Baltimore, MD 21201

Dear Ms. Horon -

Here is my issue regarding categories for collecting race and ethnicity information (and it goes to the basics rather than addressing the details for statistical purposes - it is a social concern, a concern about our understanding of 'race' + ethnicity at its core) There is no such race or ethnicity as "white". I would think it would be obvious to all government departments that have been using this term for years that "white" is a color, not a cultural description of identity. The use of the term not only denies people of varied European or Eastern or other descent their true cultural identification such as English (Anglo),

Russian/Czechoslovakian/Greek (Caucasian),  
Germanic, Nordic, etc.,  
Laplander, even, Berber, or Turk...  
but the use of the term "white"  
for all these races/ethnicities, ~~and~~  
by transference also denies the  
equality of ethnicities such as  
African-American, Native American, +  
Hispanic with people who are called  
"white". This allows the perpetuation  
of the simplistic idea that "white"  
Americans are the "regular" Americans,  
as if our color proved that we had  
been here all along and have  
automatic ownership, and that everyone  
else identified under an "ethnicity"  
or other "race" is somehow different  
or less. "White" Americans may be part  
of a disenfranchised or discriminated-  
against group also in some communities,  
such as Jewish or recent immigrants, or  
undereducated people from poverty-stricken  
areas, etc. And all of us came from  
somewhere else to this country, within  
the last few generations. All of us  
originally had ties to another land  
another language, another cultural  
heritage. When we lose sight of that,  
we create and perpetuate the myth of  
a valid "dominant" race or class.

If we are committed as a society to acknowledging <sup>and correcting</sup> our prejudices and social + economic inequalities, and if we want to create a statistical system that will help us do that, then we must begin by being very honest and being very careful about our terms. And we must also be ready to include and analyze the treatment of more groups, including taking into account the discrimination against recent immigrants from any country, and how that discrimination lasts even after citizenship and later generations, as in the case of Latinos. Huge reparations are due to the Black community and to Native Americans above all but I don't think keeping the categories narrow is the answer.

I hope these comments are helpful, and that the statisticians who are the experts in applying social concerns to methodology will understand and be able to incorporate these points.

Thank you for the opportunity for input.

Sincerely,  
Sandra Fox

From: "James Thompson, M.D., M.P.H." <jthompso@UMPSY.AB.UMD.EDU>  
To: OSD\_DOM.OS\_PO(HoronI)  
Date: 10/15/97 10:32am  
Subject: Comment on Multiracial Category

Oct. 15, 1997  
Dr. Horon,

I am commenting on the Multiracial Designation proposal. I am American Indian, and am myself "multiracial", since I also have Caucasian relatives.

Although I can appreciate the desires of some to not identify themselves as being in a particular minority group, I have very serious reservations about this proposal in its present form. One reason is that there is no clear cut way to define the "multiracial" term. For example, Indian people who have blood from two tribes may well consider themselves multiracial. Another reason is that in the U.S. a large percentage of people are indeed "multiracial". Many African Americans have Indian, Caucasian, or Hispanic ancestors. Many Caucasians also have various mixtures. Hispanics are also very diverse, etc. This would be a particularly severe problem for relatively small groups, such as Indians. If even a small number of Indian people marked "multiracial" on a form, they would severely and negatively impact data on the group.

Why would this be such a problem? Because data collected on State, Federal and other forms are used in a variety of ways to benefit groups of people, particularly minority groups. They allow the study of health conditions, socioeconomic status, service utilization, and many other aspects of life. I have talked with health statisticians, who say there is no way to meaningfully use the "multiracial" data or to accurately redistribute them between the other categories. Not being able to correctly assign people to a category would severely hamper the ability to use these data, and would exacerbate problems which already exist, such as the limited amount of medical and health services research on minority groups and the chronic undercount of minority people in the Census. Many people have worked very hard over the last few decades to try to correct problems with minority statistics. This proposal would undo much of that progress.

I believe that there should not be a "multiracial" designation. Although I think the impetus for such a change is well meaning, it would have the unintentional effect of harming the very people who want the change. I understand that not having such a designation would greatly displease some individuals. But frankly, there are times when the benefits to groups must override individual preferences. (We do this all the time in our society, for example in school immunization programs, where generally the individual has to bow to the public health needs of the group.)

If unfortunately there is to be such a designation, I do have a suggestion. First, also ask for the 2 groups with which the person or their family most closely identifies. Second, ask which of these cultures is most important in their self or family identification. This is more complicated, I realize. But unless there is such a system, this apparently benign proposal will make it much more difficult than is already the case to understand and provide services to minority groups.

James W. Thompson, M.D., M.P.H.

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James W. Thompson, M.D., M.P.H.

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"To err is human. But to really mess things up,  
you have to have a computer"

\*\*\*\*\*

October 14, 1997

Ms. Isabelle Horon  
Chief of the Division of Health Statistics  
Maryland Dept. of Health & Mental Hygiene  
201 W. Preston Street  
Baltimore, MD 21201

Dear Ms. Horon.

We would like to comment on the establishment of a multiracial category on state government forms. Our family is bi-racial, and we consider our son to be bi-racial, not black. To choose one category of race over another is to deny the heritage that comes from both sides of the family. We would like our children to be proud of who they are, not to be always considered less of a person because he is bi-racial.

Our first encounter with the existing classification system occurred with the 1990 census. Because we checked off both "White" and "Black", we were continually removed from the system, resulting in three home visits from census bureau workers. We then had to again deal with this when our son entered kindergarten. I am sure that this will continue as he grows older and must decide which side of the family he must choose over the other as he fills out forms unless the state takes action to change this system.

We are not looking for political prestige. We are asking that the government understands and accepts families like ours.

Sincerely,

*Allan Frances, Julian, Sue*

Allan Frances, Julian and Susan Spiegler  
26876 Baptist Church Road  
Mechanicsville, Maryland 20659